

by slaughter and destruction of human beings on another continent.

We can utilize our idle manpower, productive capacity, and idle capital to restore our natural-resource base; to rehabilitate and conserve our human resources; to develop our Nation and this great and rich hemisphere. Here is a program that will give us a dynamic America, and restore that equality of economic opportunity that characterized the development of our own physical frontier. Here is a program which gives this generation "a rendezvous with destiny" in this hemisphere instead of with death in some other.

I put this program up against the program of taking sides; against the program of selling arms; against the program of intervention in a long, weary war, which will probably end abroad in revolution, and, if we become involved, may end here in dictatorship.

(Manifestations of applause in the galleries.)

#### ORDER OF BUSINESS

Mr. BARKLEY. Mr. President, for the information of Senators I wish to announce that it is our purpose to hold a session on Saturday. In that connection, I wish to express the hope that during the remainder of this week we may very largely complete what we may term the general debate on this measure. Up to this time no specific consideration has been given to amendments which are pending or which may be offered. Therefore, I am asking that Senators who still intend to address the Senate on the general subject of the legislation be prepared to do so without delay.

I think all sides can agree that thus far the debate has gone forward on a high level. It has been very largely pertinent. No effort has been made in any way to hamper any Senator who desired to discuss the measure; but I think we may feel that the time is rapidly approaching when we ought to complete the general discussion and get down to specific proposals in the joint resolution or amendments which may be offered to it. I therefore ask Senators on both sides of the question who still intend to speak to prepare to do so without delay, so that we may not be called upon to lay the bill before the Senate for amendment before we have completed the general discussion, or to adjourn or recess because some Senator is not quite ready to speak.

Mr. President, I offer these suggestions in a spirit of cooperation, and I ask Senators to contribute all the cooperation they can accord in following out this program.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DANAHER. Will the Senator please explain what he meant when he said he hoped we might not be called upon to lay the bill before the Senate for amendments before we have completed the general discussion?

Mr. BARKLEY. When any Senator finishes an address and no other Senator addresses the Chair to obtain the floor, it is the duty of the Chair to lay the joint resolution before the Senate for amendment. Of course, that will be done. What I am undertaking to do is to bring about the completion as early as possible of general debate on the measure itself, in which we have engaged for the past 2 weeks.

Mr. DANAHER. I thank the Senator.

#### RECESS

Mr. BARKLEY. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until tomorrow, Friday, October 13, 1939, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 12, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou, O Lord, hast not forsaken them that seek Thee; arise and let not man prevail; let the nations be judged in Thy

sight. Mankind sees dimly as the flame of humanity burns low and the clouds still trail the earth. Almighty God, bid the strong and courageous rise and demonstrate the priceless human values in the life of nations and men. O Saviour Divine, Thy timely aid impart; lead us to Thy holy hill that we may be wisely and faithfully guided. As we meet life's challenges without fear, brighten the dawn of a golden day of a happier humanity in a world of peace. Clothe our land with a strong adventurous faith which in the past has sustained us a godly people and spare us from the ruinous delusions which are sweeping across the world. In the dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. MILLER. Mr. Speaker, I ask unanimous consent that on Tuesday next after the disposition of business on the Speaker's desk I may be permitted to address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. Miller]?

There was no objection.

#### STRIKE AT BOHN ALUMINUM & BRASS CORPORATION

Mr. HOFFMAN. Mr. Speaker, I send two privileged resolutions to the Clerk's desk which I ask to have read.

The SPEAKER. The Clerk will report the first resolution for the information of the House.

The Clerk read as follows:

#### House Resolution 313

Whereas it has been charged on the floor of the House by a Member on his responsibility as a Member, that a strike was called at the Bohn Aluminum & Brass Corporation, located at Detroit, Mich., on the 29th day of August 1939, and that such strike continued until the morning of the 9th day of October 1939, a period of 41 calendar days; and

Whereas it was further stated that said corporation against which said strike was called had contracts with the War Department for the manufacture of certain articles which were essential in the construction of motors which were needed to carry out the President's rearmament program of 1939; and

Whereas it was further charged that said strike was called for the purpose, among others, of forcing the corporation to enter into a contract with the C. I. O. affiliate for a "closed" or "preferential" shop; that is, a shop where all employees pay dues to a particular union; and

Whereas it was further charged that said strike interfered with the activities of the War Department in its efforts to carry on its national defense program: Now, therefore, be it

Resolved, That the Secretary of War report to the Clerk of the House—

(a) Whether the War Department did have a contract with said corporation.

(b) Whether a strike which interfered, or which would interfere, with the activities of the War Department occurred.

(c) How long such strike continued.

(d) What, if any, representations were made by the War Department to the union or its representatives looking toward the ending of said strike.

(e) What, if any, representations were made by the Department to the union or its representatives looking toward the settlement of the strike.

The SPEAKER. Does the gentleman from Michigan [Mr. HOFFMAN] offer this as a privileged resolution?

Mr. HOFFMAN. Yes; I think so.

The SPEAKER. On what basis does the gentleman offer it as a privileged resolution?

Mr. HOFFMAN. I offer it as a resolution of inquiry.

Mr. THOMASON. Mr. Speaker, if it is not a privileged resolution I shall object to its consideration at this time and ask that it be referred to the proper committee.

The SPEAKER. The gentleman from Texas [Mr. THOMASON] makes the point of order that it is not a privileged resolution under the rules of the House.

After hearing the resolution read, the Chair is of the opinion that it is merely a resolution of inquiry and not privileged for consideration at this time. It will therefore take its usual course by being referred to a committee for consideration.

Mr. HOFFMAN. And the same with the second one?

The SPEAKER. Yes.

## PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. There are other special orders pending. The Chair will recognize the gentleman later.

Mr. HOFFMAN. I make the request to address the House for 5 minutes at the conclusion of the other special orders.

The SPEAKER. The gentleman from Michigan asks unanimous consent that at the conclusion of the other special orders for the day he may be permitted to address the House for 5 minutes. Is there objection?

There was no objection.

## DEMONSTRATION OF AUTOMATIC PICK-UP AND DELIVERY OF AIR MAIL

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to speak for 1 minute to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I appreciate the courtesy of the gentleman from Texas, who is to speak, and the courtesy of the Members, in permitting me to make an announcement at this time relative to an air-mail demonstration that will take place this afternoon on the Mall near where the Mellon Art Gallery is being erected. If the House is not in session later today I feel those who have not seen the operation will be keenly interested and much impressed by viewing it. I believe this demonstration of the automatic pick-up and delivery device is something that will be of real importance, and one of the high spots at the convention of the postmasters, who are in session here from all sections of this country. Those who witness this demonstration will have the opportunity to see the air-mail pick-up and delivery device in practical operation. The invention is going to bring air mail to the smaller towns of the Nation. You will see the plane come swooping over the uprights and deliver and pick up the mail in one automatic operation without the plane actually landing. The plane flies at about 90 miles an hour while performing the operation.

There are 58 cities that have been brought into this program in the last few months. Congress provided the funds for the Post Office Department to carry on this experimental service for 1 year. It took the United States Government more than 25 years to include 200 cities in our air-mail system. All American Aviation, Inc., holds the present contract for the service in West Virginia, Pennsylvania, Ohio, and Delaware. The inventor of this device, Dr. L. S. Adams, sits in the gallery as I make these remarks. He has made a real contribution to the spreading of the air-mail system in this country. I believe in the 5 months this service has been in operation that it has demonstrated its usefulness beyond peradventure of doubt. I am delighted to learn that the Post Office Department will recommend its continuance and perhaps its extension. The Members of this House who aided in passing the legislation and all who made it possible, I feel, are due a debt of gratitude. The day is not far distant when a much larger share of our mail will be transported by air. We can and will see a feeder program developed by which the air-mail pick-up and delivery device will combine its usefulness in a system that will include passengers and express. From such lines we will feed business into the great trunk lines of the air that fly large ships between centers of population. We are on the verge of a new era in this matter of transportation of mail and passengers. [Applause.]

## EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address on President Lincoln delivered by the Honorable T. A. Dicus, chairman of the Indiana Highway Commission.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

## HEARINGS HELD BY COMMITTEE ON FOREIGN RELATIONS OF THE SENATE

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably (H. Rept. No. 1472) a resolution and ask for its immediate consideration.

The Clerk read as follows:

## Senate Concurrent Resolution 30

*Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Foreign Relations of the Senate be, and is hereby, authorized and empowered to have printed for its use 500 additional copies of the hearings held before said committee during the Seventy-fourth Congress, second session, on the bill (S. 3474) relating to neutrality.*

The resolution was agreed to.

A motion to reconsider was laid on the table.

## EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD on a resolution I introduced this morning having to do with the proper observance of the four hundred and fiftieth anniversary of the discovery of America, which occurred in 1492.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I have placed a bill in the hopper today to prepare for the proper commemoration of the four hundred and fiftieth anniversary of the discovery of America by Christopher Columbus. To those of us who believe that the peace of the world must rest with fairer outlets of commerce and trade this transcendent achievement of the man who dared the danger of the trackless ocean must be the acme of man's individual bravery and fortitude. The great migrations of man prior to his time had been by land. He took to the sea, plunged into areas from whose bourn no man had ever returned and gave us the New World.

Remember that the first European ship to even cross the Equator was not until 1471, and none had sailed to the east coast of Asia until 1517. Even the mighty Achillean endeavor of Colonel Lindbergh was an attempt to bracket two known continents. This man was venturing into a limitless void, uncharted and unknown.

Europe had paid scant attention to the brave and successful voyages of the Greenland area, but the urge for trade avenues was not the stimulus of these. That is perhaps why they occurred and passed on without the solemn visible imprints of Columbus' work.

Daniel Webster has caught the picture better than most men in his poignant pen picture of the event itself in his Bunker Hill Monument speech:

We do not read even of the discovery of this continent without feeling something of a personal interest in the event; without being reminded how much it has affected our own fortunes and our own existence. It would be still more unnatural for us, therefore, than for others to contemplate with unaffected minds that interesting, I may say that most touching and pathetic, scene when the great discoverer of America stood on the deck of his shattered bark, the shades of night falling on the sea, yet no man sleeping; tossed on the billows of an unknown ocean, yet the stronger billows of alternate hope and despair tossing his own troubled thoughts; extending forward his harrassed frame, straining westward his anxious and eager eyes, till Heaven at last granted him a moment of rapture and ecstasy in blessing his vision with the sight of the unknown world.

## EXTENSION OF REMARKS

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Gazette and Daily of York, Pa.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, for the purpose of making a parliamentary inquiry, may I say I notice that in yesterday's RECORD of the proceedings of the House there was inserted a speech by Secretary Hull, and later on other matter that was not offered on the floor of the House was inserted. My inquiry is if this is in accordance with the understanding we had some time ago. I am asking for information solely.



The SPEAKER. As the Chair understands the agreement made at an earlier part of the session, where there is no actual business being transacted in the House, such an extension would not violate the agreement.

Mr. HOFFMAN. Then that would apply until, say, the 1st of November?

The SPEAKER. It would apply until some regular legislative business is on the program of the House.

Is there objection to the request of the gentleman from California?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. THOMASON. Mr. Speaker, my colleague the gentleman from Texas [Mr. LUTHER A. JOHNSON] has received unanimous consent to address the House for 20 minutes today. In order that he may not be interrupted—subject, of course, to the approval of any other Member who is to follow the gentleman from Texas—I ask unanimous consent that his time may be extended to 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that all Members may have 3 calendar days in which to extend their own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

#### HEARINGS BEFORE THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE

Mr. KRAMER. Mr. Speaker, I heard the resolution that was just read with reference to the printing of copies of the hearings before the Senate Committee on Foreign Relations. I believe this same resolution was brought up in the House a few days ago, at which time I objected to its consideration unless Members of the House were given an opportunity to have copies of these hearings. I thought the number of copies had been increased to 5,000, which was my request at that time. I ask unanimous consent to return to that resolution for further consideration, in order that I may offer an amendment increasing the amount.

The SPEAKER. The Chair would request the gentleman to withhold his request until the chairman of the Committee on Printing is present. I see that the gentleman is not in the Chamber at the moment. The Chair will be pleased to recognize the gentleman later.

#### EXTENSION OF REMARKS

Mr. THOMASON. Mr. Speaker, my colleague the gentleman from Texas [Mr. PATMAN] is unavoidably absent today. At his request I ask unanimous consent that he be permitted to extend his own remarks in the RECORD and to include therein the summary and conclusions of the Federal Trade Commission in its motor car industry inquiry.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech delivered by the distinguished head of the F. B. I., J. Edgar Hoover, in San Francisco.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein an article by John P. Flynn, appearing in the Washington Daily News of yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

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#### PERMISSION TO ADDRESS THE HOUSE

The SPEAKER. Under a previous order of the House, the gentleman from Texas [Mr. LUTHER A. JOHNSON] is recognized for 30 minutes.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. Mr. Speaker, in the announcement I made very hastily a few moments ago in order to conserve time, I failed to mention the hour at which the demonstration will be held. Through the kindness again of the gentleman from Texas, I am now able to say that the demonstration will take place at 2:30 this afternoon. In the event the House is not in session at that hour I hope that those especially who have not seen the operation in question will be present for this demonstration, in order that they may see the application of this pick-up and delivery device.

#### NEUTRALITY LEGISLATION

Mr. LUTHER A. JOHNSON. Mr. Speaker, this special session of Congress called by the President of the United States to enact legislation to prevent our involvement in the existing European war is fraught with importance to the American people. No subject is, or could be of more vital interest to every man, woman, and child in the United States than this.

It is not strange therefore that we should be receiving many letters. Many of them are helpful, inspiring, constructive in thought, and breathing a spirit of patriotism and prayer that wisdom may guide the Congress in passing legislation best designed to promote and preserve peace in our own land regardless of the magnitude or the duration of the war in other countries.

Others come from individuals and organizations whose letters disclose a lack of knowledge, and a misunderstanding and misconception of existing law and the need and necessity for a revision of our neutrality law. Let me illustrate by quoting from some of these:

Vote against repealing the present neutrality law.

Vote against all efforts to alter present neutrality law.

Vote to keep the present neutrality law and keep us out of war.

Do all in your power to prevent any change in the neutrality law as it now stands. Do not change it in any particular.

These sentences are quoted from many letters or postcards received by me, many of them printed, and all expressed in the same identical language. The persons whose names are signed to those printed letters and postcards did not know, but the organization which sent them out to be signed did know, or should have known, these facts: First, that no legislation is pending or, rather, being considered by this Congress to repeal the neutrality law.

Second. That we have only a partial neutrality law in effect at this time. That for the reason that on May 1 a major portion of our neutrality law expired and is now no longer in force or effect. That we now have no law, such as we did have prior to May 1, regulating the sale and shipment of commodities other than arms and ammunition and implements of war to countries at war, and that we have no law now, such as we did have prior to May 1, by which American ships could be regulated and prohibited from carrying goods to nations at war.

For Congress to be told by those undertaking to instruct us how to legislate upon this important subject that we should make no change in existing law, that Congress should not amend or revise the neutrality law, but leave it as it now stands; with these glaring omissions regulating our ships and the sale of commodities other than arms to belligerent nations, reveals that the propagandists who printed those cards to be signed were either ignorant of existing law or indifferent to the fate of America in time of war. Our entry into the last World War did not arise from the sale of arms, ammunition, and implements of war, but from the sinking of our ships, causing the death of our citizens and the seizure and confiscation of property upon the high seas of our people,

and the law as it now stands makes no provision to prevent a repetition of these happenings.

Twenty-six American merchant ships on 26 different dates, ranging from January 28, 1915, to March 19, 1917, were either sunk or attacked by Germany before our entry into the World War, and the cargoes on most of them were foodstuffs, cotton, oil, timber, flax, wheat, rice. In only one instance did the cargo consist of war supplies.

Mr. Speaker, I ask unanimous consent to insert in the Record at this point as a part of my remarks a list of these 26 incidents as compiled by the Congressional Library.

The SPEAKER pro tempore (Mr. SHEPPARD). Is there objection to the request of the gentleman from Texas?

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, does the gentleman include in this list the ships that were sunk by British and French mines?

Mr. LUTHER A. JOHNSON. I stated that I have had listed 26 incidents where the Germans sank our ships by means of their submarines. I do not mention any other such incidents.

Mr. SCHAFER of Wisconsin. Until the gentleman includes in this list the more than 26 ships that were sunk by British and French mines, which is more of our American shipping than the submarines sank, I shall object.

Mr. THOMASON. Mr. Speaker, I believe it is an unusual situation when a Member who has the floor cannot insert in his remarks what he wishes to and later include additional matters. The gentleman from Wisconsin has the privilege of objecting, of course, but I am sure there would be no objection to this material being inserted.

The SPEAKER pro tempore. Under the rules of the House that procedure is possible, of course.

Mr. THOMASON. I hope the gentleman will not object.

Mr. LUTHER A. JOHNSON. In order to save time I withdraw the request, Mr. Speaker. I will not take time to read this list now, but I will say that I have a complete list, compiled by the Congressional Library, of the 26 ships that were sunk by the German Government during the World War. On this list appear the dates and the names of the ships. It is interesting to note that the cargoes and commodities which were carried in only one of the instances furnished me consisted of war materials. These ships were carrying cargoes of materials other than what are known as strictly war materials.

If Germany, in the World War, submarined and sunk our ships, do we not know that she will do so again? The present war started only a few weeks ago, and already she has begun to sink the vessels of neutral nations. Ships from Norway, Denmark, and Sweden, loaded not with arms, ammunition, and implements of war, but with wheat, butter, flax, and other nonmilitary commodities, have been sunk; and almost daily we read where some ship was sunk by a German submarine. Surely Norway, Sweden, and Denmark are all neutral nations and their ships are sunk merely because they are carrying goods to nations at war with Germany. If we permit our ships to carry cargoes of any kind to the countries at war, they will suffer the same fate.

It is proposed in the pending legislation to prohibit American ships from carrying cargo of any kind to nations at war. We now have no such law, and yet we are receiving letters demanding that we make no change in the present law and in that way keep us out of war. If the present partial neutrality law is not changed or amended, the United States is certain to be in this war, and that within a very short time.

President Roosevelt is to be commended for acting promptly on the outbreak of war in Europe by calling Congress into special session to pass an adequate and a complete neutrality law to safeguard in every way our interests and to prevent our involvement in the war. It is not the fault of President Roosevelt and Secretary Hull that such legislation was not passed at the last session of Congress. If Congress had passed such a bill at the last session of the Congress, there would have been no necessity for this session of Congress and there is a possibility that there might not be any war at this time in Europe.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not now, please.

Congress was urged to do so both by the President and the Secretary of State, but the opponents of the legislation said that we had plenty of time, that war was not imminent, that the January session of Congress would be time enough to take up the question of revising our neutrality legislation, and some of the leaders in that fight, at the White House in conference with the President and Secretary Hull, when Secretary Hull advised them that the information which he had and that which all of the American diplomats in Europe had indicated that war was near, said to Secretary Hull that they had their own private information and that there would be no war and they seemed to think they knew more about any threatened outbreak of war than our own State Department, which had its information from official sources and other news-gathering sources.

Some of these opponents charge that the President is trying to get us into war because he is suggesting changes in the present partial and wholly inadequate neutrality law. This is in line with the charge made by the same gentlemen at the last session of Congress when President Roosevelt was trying to have legislation passed. When he talked about war being imminent and need for neutrality legislation they called him a warmonger, and stated that he was simply stirring up strife and that there was no likelihood of any war. Now, when war has broken out and he tries to get legislation to keep us out of war, they say he is simply doing that, not to keep us out of war, but to get us into war.

Mr. THORKELOSON. Mr. Speaker, will the gentleman yield for a question?

Mr. LUTHER A. JOHNSON. Not now.

Mr. Speaker, I think a subject of this importance is of far greater significance than any political issue that could be involved. I think that no man or set of men should try, by reason of their prejudice against the President of the United States or because of their partisanship, to confuse an issue of this magnitude in this critical hour.

The resolution now being considered is an improvement over that portion of the neutrality law that expired on May 1 and in my judgment should be less objectionable and be more effective in keeping us out of war.

Let me make a comparison and see whether you agree with me or not. To those who have been opposing this legislation because it vested discretionary power in the President's hands, let me point out to you that section 2 of the act of 1937, which expired on May 1 of this year, left it discretionary with the President.

There were two provisions of that section—subsection (a) and subsection (b). Subsection (a) provided that when the President of the United States thought that the peace of our country demanded it or that it was necessary to keep us out of war, he could prohibit American ships from carrying cargo other than arms, ammunition, and implements of war, if he so decreed, and that he should list the articles that our own ships should be prohibited from carrying to belligerent nations, in addition to arms, ammunition, and implements of war.

Subsection (b) provided that if the President, after finding that a state of war existed, believed that, in addition to the prohibition against arms, ammunition, and implements of war, that it might be necessary to preserve our peace and prevent our involvement, that he could prohibit Americans from selling goods of any kind that he might enumerate that were to go to foreign countries and belligerent countries until the title to all of those goods had been transferred before their shipment.

It will be observed that in both of these instances in regulating the cargo of American ships and also in putting into effect what is commonly called the cash-and-carry principle, the discretion was with the President, but under the proposed legislation, or the legislation now pending and being debated in the Senate, it is not discretionary. The bill automatically provides that when the President finds that a state of war



exists American ships shall be prohibited not only from carrying arms, ammunition, and implements of war but from carrying cargoes of any kind to any belligerent nation. It is not required that the President shall find the need for such restrictions, as was the case in the law which expired, but the pending bill provides that no goods shall be shipped to any belligerent nation until the title to all of those goods shall have been transferred on our own shores before they leave, so that, if the ship is sunk or the goods are lost, no American citizen will suffer any loss or have any claim in the matter, but the loss will be that alone of the foreign countries who bought and paid for the goods.

They talk about the ocean being our defense. It is a barrier and a measure of defense, but it is also the cause of our involvement in European wars, because every foreign war in which we have been a participant, save only the War with Mexico, has arisen due to some incident occurring on the ocean. What we are trying to do in this legislation is to remove the causes by which our citizens may lose their lives, their goods, or their property, so that we can keep out of the war. But they say that this legislation is bad, because it repeals the arms embargo. It does. It repeals the arms embargo and treats all commodities alike. It treats all countries alike. We agree to sell to all countries—to England, to France, to Germany, to Italy, to Russia, to Norway, to Sweden, to little Denmark, to Finland, and all those countries on the same terms and under the same terms and conditions; that is that they transport their own goods and deliver them themselves. We have no interest in it, and our ships shall not carry such goods, and our people shall have no interest in the goods while they are being transported on the high seas. This is the so-called cash-and-carry plan. It was first suggested many years ago by—at least the first person I ever heard suggest it was the lamented Will Rogers, who was not only a great philosopher but one who possessed an abundance of sound common sense. The opponents of the legislation say you must not repeal the arms embargo, because if you do it will get us into war; but I have yet to hear any of those who make this assertion give a satisfactory reason why the repeal of the arms embargo will get us into war.

Those who think that an arms embargo alone to belligerent nations will keep us out of war, have not given thoughtful consideration to this subject. I assert, Mr. Speaker, that the retention of the arms embargo will not keep us out of war, and its repeal will not get us into war. If countries regarded only arms, ammunition, and implements of war as contraband, then there might be some logic in saying that they must be embargoed and treated differently from other commodities. Contraband, as we all know, consists of goods a neutral nation is prohibited by law from furnishing to either belligerent nation, and if a neutral nation ships articles designated as contraband, the right of search and seizure and confiscation rests with the belligerent. What is contraband? Under the old-time definition, contraband was defined as arms, implements of war, and navy supplies. That was absolute contraband. Then there was a conditional contraband, but in time of war we have learned that law does not determine or rather control what is contraband. The nations at war make up their own lists of what they say is contraband, and if they have the power to enforce it, you must treat it as the law of the land. During the World War the countries engaged in that conflict had lists of articles of contraband which covered practically every commodity, and I have before me a statement which I secured from the State Department, issued by our State Department, reproducing what was furnished our State Department by the British Government on September 13, 1939, listing what they denominated as contraband in the present war, and I also have a statement issued by our own State Department on September 19 giving a list of articles and commodities that the German Government has said they will regard as contraband. It is not limited in either particular to arms and ammunition and implements of war. They cover almost every commodity; they cover all food, all clothing; they cover the things that go into clothing; they cover tobacco. Cotton, oil, gasoline, wheat,

wool, and many other commodities are included under the definitions listed as contraband.

Mr. POAGE. Why not put them in the Record?

Mr. LUTHER A. JOHNSON. Very well. Mr. Speaker, I ask unanimous consent to insert in the Record the statements made as to what constitutes contraband by Germany and also the British Government; and will ask that they be inserted at the conclusion of my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LUTHER A. JOHNSON. If the warring nations do not treat arms, ammunition, and implements of war differently from other commodities, but assert the right to seize and sink ships carrying all such commodities, whether they be arms or not, why should our Government place them in a different category? To prohibit the sale of arms to warring nations and permit the sale of other commodities to warring nations without restriction, as is proposed by those who are fighting this legislation, is not only illogical and inconsistent, but is calculated to get us into war. Some think that the arms embargo is the heart of our neutrality law. In this they are in error. I think I should know something about the history of this legislation, because I have been a member of the committee that brought out the various bills on neutrality and a member of the subcommittee that wrote the first bill in 1935 and also the act of 1937, and I assert that the purpose of that legislation as shown by the debate was this: That we were seeking to remove all causes which might arise to cause our country to become involved in war with foreign governments that might be at war.

In one of the speeches I made in this House on neutrality several years ago I took the position that the arms-embargo feature of itself would not remove irritating causes provocative of war, but that it was to discourage other nations from going into war. It was to set an example to other countries which we hoped they would follow, and thereby prevent war; but instead of discouraging them it has encouraged the arming of dictator nations. I believe that instead of helping preserve the peace of the world it has helped to promote war. It is not the sale of commodities but the transportation and delivery upon the ocean that gets us into war. The arms embargo will not tend to keep this country out of war. The repeal of the arms embargo is not an unneutral act, because when we do repeal it we conform to international law, which gives us that right, which permits all nations to sell arms and commodities of all kinds to belligerent nations, and no one can claim that international law is unneutral, and the exercise of our right thereunder cannot be charged as being unneutral.

Mr. THORKELOSON. Will the gentleman yield for a question?

Mr. LUTHER A. JOHNSON. Not now.

An embargo on arms during a foreign war and allowing other war materials to go to a belligerent would inevitably benefit countries that are well equipped with supplies of arms and manufacturing facilities and injure countries that rely on other markets for arms and ammunition.

Another reason why the arms embargo should be repealed is because we have found difficulty in its enforcement. It has not worked out in a practical way. We have tried it. We have had it for 5 years, and only twice has it been invoked. Once in the Italian-Ethiopian War and again in the Spanish Civil War. Those are the only two times we have tested it. A representative of the State Department testified before our committee that its enforcement caused much concern and much difficulty, even in those two minor wars. Why? Because it provides "You shall not ship arms, ammunition and implements of war to belligerent nations or to neutral nations for reshipment to belligerent nations." It is always difficult to find out whether a shipment that is going to a neutral nation is to be reshipped to a belligerent or not. There was much difficulty, even in those two minor wars. How much more difficulty would we have in a major war, and how likely would it be in the enforcement of our arms embargo, that we might be charged with being

unneutral in its enforcement. Suppose we allow shipments to go to a neutral nation. The other belligerent says, "You should have known that it was intended for another belligerent. You are not acting neutral." It would be most difficult to determine when shipments to neutrals were not ultimately destined for belligerents. It is best, therefore, to treat all commodities alike, and require transfer of title of all goods in this country before they are shipped. The enforcement of such a law would be easier, and no ground would exist for a charge of unneutrality in its enforcement.

But some who were opposed to the repeal of the embargo at the last session, before the European war began, claim now that it cannot be changed now, since war has already begun. Every country has the right to change its own domestic laws at any time, whether in peacetime or wartime, provided it treats all countries alike; and the proposed law makes no discrimination, but treats every country on the same basis. If we do not have the right to repeal the arms-embargo feature of the neutrality law, we have no right to change the neutrality law in any respect. If we cannot take that provision out, we cannot add anything to it. We cannot take anything from it. If it is unneutral to repeal the arms embargo because it will hurt Germany, it will be unneutral to restrict our ships from carrying goods to England and France, because it will hurt them. If that proposition is sound that you cannot repeal it because it will hurt one side, then we are handcuffed. We are in a strait jacket. War has broken out. We are helpless. We must not change our laws because some country says, "You are hurting us." That is perfectly illogical and indefensible.

I have a statement made by Secretary Hull upon the question of our right to change our neutrality law after war has begun, and I ask unanimous consent to include it in my remarks.

The SPEAKER pro tempore (Mr. SHEPPARD). Without objection, it is so ordered.

There was no objection.

Secretary Hull's statement follows:

SECRETARY HULL'S STATEMENT

SEPTEMBER 21, 1939.

At the press conference at the Department of State today the Secretary of State made the following statement:

"In my testimony during the hearings before the Senate Committee on Foreign Relations in the early part of 1936 I made as clear a statement on that point (change in Neutrality Act through lifting the arms embargo following the outbreak of war) as I could, namely, that most of the progress made in the development of the law of neutrality has been made by acts or steps taken during war. It is common knowledge that belligerents change their rules, practices, methods, and policies in various directions during the progress of hostilities. The law of neutrality has been developed in the direction of recognizing greater rights in the neutral than he was formerly able to assert. If neutrals were required to determine upon their policy in advance of war and in advance of conditions which they cannot possibly foresee, and to hold rigidly to that policy throughout the war, while the belligerents are adopting such new policies as they may see fit to adopt, regardless of their damaging effect upon neutrals, determination of the rights and duties of neutrals and belligerents would be left primarily in the hands of the belligerents. This is not in accord with my understanding of the basic principles of the law of neutrality. It harks back to the days when belligerents regarded neutrals as friends or enemies, depending upon whether they were willing to do the bidding of the belligerent.

"I think that you will find from a careful analysis of the underlying principles of the law of neutrality that this Nation, or any neutral nation, has a right during a war to change its national policies whenever experience shows the necessity for such change for the protection of its interests and safety. I do not mean to be understood as saying that such action may be taken at the behest or in the interest of one of the contending belligerents, it being understood, of course, that any measures taken shall apply impartially to all belligerents.

"In advocating repeal of the embargo provisions of the so-called Neutrality Act, we are endeavoring to return to a more rational position and one that is more in keeping with real neutrality under international law. The question whether such proposed action is unneutral should not, in my judgment, be a matter of serious debate. There has never in our time been more widespread publicity and notice in advance of the outbreak of war of a change in our policy than there has in this instance. This Government has given notice for well-nigh a year—at least since the first of the present year—that such a change of policy was in contemplation. Numerous bills were introduced in Congress, long hearings

were held in both Houses, and it was generally understood when Congress adjourned that this subject would be on the agenda when it again convened. The President gave notice through a public statement, which would hardly be supposed to have escaped the attention of all governments and people, that if war should occur he would reconvene the Congress for the purpose of renewing consideration by it of the neutrality legislation that was pending as unfinished business when Congress adjourned."

Mr. THORKE. May I ask the gentleman if he will insert that in the RECORD, because I would like to answer it?

Mr. LUTHER A. JOHNSON. Yes. I have already received that permission. I will be glad to answer any questions now.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman.

Mr. VORYS of Ohio. I listened with great interest to the splendid speech which the gentleman has been making.

Mr. LUTHER A. JOHNSON. I thank the gentleman.

Mr. VORYS of Ohio. But, as I understand it, the gentleman feels that the great danger is to our shipping and that what we call the carry law is the important part of our neutrality?

Mr. LUTHER A. JOHNSON. One of the important parts, I would say to the gentleman, will be the transfer of title, because our goods might be on neutral ships and the ships sunk.

Mr. VORYS of Ohio. Last summer when an attempt was made to write the "carry" provision back into the law it was hopelessly defeated on this floor, was it not?

Mr. LUTHER A. JOHNSON. Yes; but the gentleman remembers quite well that I offered an amendment to put it into the law, because I realized that that was a weakness of our law. I made a speech from this very Well and offered my amendment to regulate our own ships, and the gentleman recalls the result.

Mr. VORYS of Ohio. I recall that the gentleman's colleagues on his own side did not support him.

Mr. LUTHER A. JOHNSON. Let me say some of my colleagues on both sides of the aisle who differed with me then now think I am right. [Applause.]

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield for one further question?

Mr. LUTHER A. JOHNSON. Yes.

Mr. VORYS of Ohio. The gentleman is doubtless aware that neither the President nor the Secretary of State has yet approved the restoration of the "carry" provision to our law.

Mr. LUTHER A. JOHNSON. I have not been advised as to that, but I will say that if this Congress is going to function as it was intended, then we shall make our own laws without dictation.

Mr. BLOOM. Mr. Speaker, will the gentleman yield right at that point?

Mr. LUTHER A. JOHNSON. Yes.

Mr. BLOOM. They have not disapproved of it.

Mr. LUTHER A. JOHNSON. I have seen no disapproval of it, and it is my understanding that the President will approve the bill now being debated in the Senate if it passes Congress.

[Here the gavel fell.]

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Texas may be extended for 3 minutes.

Mr. THOMASON. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended 10 minutes, because my friend is making a very informative speech, and he is the ranking member on the Foreign Affairs Committee.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARRY. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. BARRY. The gentleman has said that the arms embargo is unneutral. Neutrality is defined as refraining from interference in a contest. Will the gentleman tell me how the present arms embargo is unneutral?

Mr. LUTHER A. JOHNSON. I shall be pleased to answer that question, for it is a fair question. What I mean to say



is that the effect of the arms-embargo provision of the Neutrality Act is unneutral. We have the right, of course, as I said, to pass any kind of law. The effect of the present law is unneutral. Let me answer the gentleman a little further. That is a phase of the proposition that I did not discuss. I think it is unneutral to the smaller countries, especially since international law gives them the right to buy arms. When we give notice in advance that we are not going to sell arms in time of war that is an inducement to aggressor nations to attack defenseless and unarmed countries, knowing that they cannot secure arms with which to defend themselves, and it seems to me it puts the smaller countries at a distinct disadvantage.

Mr. BARRY. Can the gentleman tell me when we ever had a foreign policy of seeing that one side was as well armed as the other, or equally well armed? Since when has it become our duty to see that one side to a conflict is not better equipped than the other?

Mr. LUTHER A. JOHNSON. The gentleman misunderstood my position. Let me answer the question, because there is evidently a misconception on the part of the gentleman.

I do not say that it is our duty in considering a neutrality policy to so write the law that it will equalize the armories and armaments of all countries. You cannot do that because the nations themselves determine their own equalities before we pass the law; but I do say that we have the right under international law to treat all countries alike. The way the present law has worked out has been unneutral and unfair in encouraging attacks by dictators on unarmed countries.

Mr. BARRY. Will not the gentleman admit that while in theory we say to both sides: "You can have arms and ammunition," that actually we are only going to sell to one side?

Mr. LUTHER A. JOHNSON. I would not say that; the gentleman cannot say that, because that is not the fact. The German submarine campaign may become very effective, they may become victorious; we do not know.

While today the repeal may help one group of countries, tomorrow it may help another, since the fortunes of war change sometimes overnight, and no one can foretell who may dominate the sea a year from now. But under the proposed law we offer to sell to all countries alike who come to our shores and get commodities of every kind and pay for them and make their own delivery.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. POAGE. Is it not a fact that the United States has always taken the lead of all nations in the world in asking for universal, or nearly universal, disarmament? Does not the policy we are now pursuing discourage the very thing we have long advocated? Does not the gentleman's policy reward the nation that refused to disarm and penalize the nation that disarmed, the nation that did the very thing the United States asked?

Mr. LUTHER A. JOHNSON. The gentleman has stated that point better than I could, and I thoroughly agree with what he has said.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. CURTIS. The gentleman stated that a number of neutral ships had been sunk, some not carrying arms or munitions of war.

Mr. LUTHER A. JOHNSON. That is true.

Mr. CURTIS. Is not the fact that none of the ships of the United States has been sunk up to date the best evidence in the world that our neutrality is being respected?

Mr. LUTHER A. JOHNSON. No. I think that is due to the fact that the participants are waiting to see what we are going to do in Congress. [Applause.] After Congress has adjourned, I do not know what will happen. We will know then how far they respect our neutrality. The present war has only been in progress a few weeks and has not yet reached an intensive stage, and because American ships have not yet been sunk is no assurance that such will not be done. The *Athenia*, British passenger liner, was sunk several weeks ago,

and many citizens of the United States and a party of young ladies from Texas were among the passengers.

Mr. CURTIS. Just one more question.

Mr. LUTHER A. JOHNSON. Yes.

Mr. CURTIS. Does the gentleman subscribe to the doctrine that to repeal the arms embargo would assist France and England? Or does the gentleman support repeal because he believes it will establish our neutrality to a greater degree?

Mr. LUTHER A. JOHNSON. I believe that it should be repealed because it is fairer to all countries, it is easier and more practical to enforce and events connected with the enforcement under international law would be less liable to charges of unneutrality than enforcement of the present Neutrality Act. Furthermore, we would be following the custom of international law as we always did up to 1935.

Mr. MILLER. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Connecticut.

Mr. MILLER. I will not make any speech. Although I have enjoyed the gentleman's presentation, I disagree with some parts of what he said. I am sure that as a member of the Foreign Affairs Committee the gentleman would not want the Record to show there is no proposal before the Congress to repeal the existing neutrality law.

Mr. LUTHER A. JOHNSON. I said there is none being considered.

Mr. MILLER. It is being considered on the other side.

Mr. LUTHER A. JOHNSON. It has not been reported out over here.

Mr. MILLER. The gentleman said "the Congress." The Senate is a part of the Congress.

Mr. LUTHER A. JOHNSON. A resolution has been introduced to repeal the entire Neutrality Act, but has never been reported out by a committee or considered by either the Senate or House. The legislation considered in both bodies is, not to repeal the Neutrality Act, but to amend it.

Mr. MILLER. Another question. The gentleman seems to assume that those who write and ask him not to change the law are ignorant of the law.

Mr. LUTHER A. JOHNSON. Not all of them. I said some of them are.

Mr. MILLER. I think the gentleman will agree with me, that there is a school of thought in this country, and I disagree with that thought, which feels that we are wrong in putting a restriction on our shipping.

Mr. LUTHER A. JOHNSON. I think the gentleman is right. I have had letters written by writers whose views I am glad to have. What I was seeking to do was to point out that group of objectors who do not seem to realize what the situation is and who say that we do not need any change at all.

Mr. MILLER. The gentleman did not mean to infer that those who took that position were ignorant?

Mr. LUTHER A. JOHNSON. No; I did not mean any such inference.

Mr. MILLER. They may be honest in their convictions.

Mr. LUTHER A. JOHNSON. Although I doubt very much the wisdom of those who believe that retaining the arms embargo is going to keep us out of war, I respect their honesty and sincerity and accord them the same right to their opinion which I claim for myself.

Mr. MILLER. I will say that there are many honest citizens who believe that the existing law is better than the proposal to restrict all of our commerce and keep our nationals and ships out of Europe.

Mr. LUTHER A. JOHNSON. Of course, I think they are wrong.

Mr. MILLER. I think they are wrong, too, but I think they are honest.

Mr. LUTHER A. JOHNSON. I have not questioned their honesty, but I do not think they have thought as much about it as the gentleman and I.

Mr. THORKELOSON. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Montana.

Mr. THORKELSON. Did I understand the gentleman to say that the sinking of ships and cargoes was the cause of war?

Mr. LUTHER A. JOHNSON. It played a big part.

Mr. THORKELSON. Is that what started the war between England, France, and Germany?

Mr. LUTHER A. JOHNSON. I am not discussing the cause of the war between foreign countries now, but am concerned with and am discussing legislation to prevent our involvement.

Mr. THORKELSON. Who is responsible for sending our ships out so that they will be sunk?

Mr. LUTHER A. JOHNSON. What I am trying to do is to regulate them so that they will not be sunk.

Mr. THORKELSON. Why, they have been sent out with their cargoes and the cargoes they carried was the reason for their sinking.

Mr. LUTHER A. JOHNSON. Is the gentleman talking about those incidents I mentioned during the World War?

Mr. THORKELSON. The gentleman stated awhile ago that we might get into the war because some of our ships may be sunk.

Now, why are our ships on the ocean with cargoes and liable to be sunk? They are cleared from our ports, are they not? [Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Texas?

Mr. ZIMMERMAN. Reserving the right to object, Mr. Speaker, I understand that the gentleman has asked for this time in order to make a speech, not to be "ganged" by Members engaging in a colloquy that has gone on for about 5 minutes. I believe the gentleman should have an opportunity to make his speech. I certainly hope the gentleman will be given an opportunity to do that if the time is extended, and I shall not object, Mr. Speaker.

Mr. MICHENER. Reserving the right to object, Mr. Speaker, the gentleman from Missouri evidently has not been in the Hall. The gentleman occupying the floor has concluded his speech and has asked for questions. Now we are seeking an opportunity to ask him the questions which he has invited.

Mr. ZIMMERMAN. I thought I was here when he took the floor. With all due respect to the gentleman from Michigan, I believe I am capable of understanding what goes on on this floor.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas that he be permitted to proceed for 5 additional minutes?

There was no objection.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from California.

Mr. HINSHAW. I very much appreciate the gentleman's statement and concur in his belief that the sinking of American vessels was largely the cause of our going into the war. I want to find an answer to a question, in connection with the bill under consideration by the other body at the moment, that is confusing to me.

Mr. LUTHER A. JOHNSON. I do not know whether I can answer it but I shall be pleased to try.

Mr. HINSHAW. Section 2 provides that no American vessel shall carry anything to a nation named in the proclamation. Section 3 provides that we shall not export anything until all right, title, and interest thereto shall have been transferred to some foreign nation. Is there anything in that bill that the gentleman knows of that will prevent the American people from selling goods to a foreign country, then having title to these goods transferred to a foreign nation, and shipping them on an American ship to a neutral port for transfer to these foreign nations? The gentleman knows the present law provides that they shall not ship the goods directly or indirectly.

Mr. LUTHER A. JOHNSON. Yes; that is with regard to arms and ammunition.

Mr. HINSHAW. Yes; but there is no such clause in the proposed law that I can find.

Mr. LUTHER A. JOHNSON. I do not know. There may be some merit in the gentleman's suggestion. In other words, the idea is that there might be some evasion by shipment to a neutral nation for reshipment to a belligerent.

Mr. HINSHAW. The gentleman is correct, such as when it is going to England it could be shipped to Ireland, or going to Germany it could be shipped to Holland.

Mr. LUTHER A. JOHNSON. I shall be pleased to look into that question and give it consideration. But as I have already pointed out, enforcement of the clause prohibiting shipment to neutral nations for reshipment to belligerent nations has been most difficult to enforce.

Mr. HINSHAW. I thank the gentleman.

Mr. EATON. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from New Jersey.

Mr. EATON. I am profoundly interested in the happiness of our great President. Under the bill that is now pending in the Senate, how is the President going to get to Campobello Island? The President cannot get there on an American ship without incurring the penalty of going to jail, and he cannot get there on a foreign ship because he is the President of the United States. Do we have to have him here all the time?

Mr. LUTHER A. JOHNSON. I think the gentleman is asking a facetious question.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman has stated that it is his view that we should return to international law.

Mr. LUTHER A. JOHNSON. No; I did not say that. I beg the gentleman's pardon. I did not say we should return to international law.

Mr. MICHENER. What is the gentleman's position on that?

Mr. LUTHER A. JOHNSON. There is a school of thought that we should repeal all neutrality legislation and stand on international law. I am opposed to this. We tried it during the World War. I simply asserted on the question of the arms embargo that international law permitted it, and by repealing the embargo we were therefore following international law, which gives that right, and no one could charge that we were unneutral in so doing.

Mr. MICHENER. Yes. Now we are clear that the gentleman feels that a return to international law as such is dangerous, and that he therefore advocates not a return to international law but specific neutrality legislation. Does not the gentleman recognize that this is the position in the Senate, and that the Senate bill is absolutely opposed to the President's suggestion that we should return to international law; and further, that the debate in the Senate and the attitude of the leaders on the Committee on Foreign Relations is such that it will be impossible for this country to return to international law as such, within at least a generation?

Mr. LUTHER A. JOHNSON. I may say to the gentleman that an amendment was offered when the neutrality legislation was before the House to return to international law. I voted against it and spoke against it. I believe we must have some legislation curbing the rights of our people. While it may deny certain rights we have under the law, yet I believe there should be some limitation restricting the rights of our people so as to keep us out of war.

Mr. SOUTH. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Texas.

Mr. SOUTH. The gentleman has made a very able address.

Mr. LUTHER A. JOHNSON. I thank the gentleman.

Mr. SOUTH. As I understand the gentleman's position, in addition to what he has said in reply to the question, he favors the adoption of the pending resolution, not only because he believes it is more neutral but because he believes



it is the best way to prevent this country's becoming involved in the conflict now going on abroad.

Mr. LUTHER A. JOHNSON. The gentleman is exactly right.

Mr. SOUTH. If the gentleman will permit, may I ask him further if it is not true that the position this country is now attempting to maintain sets it in a class by itself as far as other important world powers are concerned; that is, no other world power is now attempting to enforce an embargo similar to the one in force in this country at this time?

Mr. LUTHER A. JOHNSON. It is my understanding that no other major country has general legislation or permanent legislation making such restrictions, and I doubt if any country has ever had.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Alabama.

Mr. PATRICK. I want to ask the gentleman if there is anything to this analysis of how this thing works out. A maker of munitions of war may be prevented from marketing them when made and manufactured at home, but cannot munitions still be shipped on the high seas to warring nations right now in our ships under the present embargo law?

Mr. LUTHER A. JOHNSON. They certainly can, and that is the reason I want the law changed.

Mr. PATRICK. It is done every day.

Mr. LUTHER A. JOHNSON. I misunderstood the gentleman—not to warring nations, but to neutral nations.

Mr. PATRICK. They are getting the materials or the makings now.

Mr. LUTHER A. JOHNSON. Yes; certainly.

Mr. PATRICK. Are they going to order from us, to begin with, if they have the makings themselves?

Mr. LUTHER A. JOHNSON. The gentleman is right about that. And, furthermore, there is no moral difference in selling arms and the materials from which they are made.

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Nebraska.

The SPEAKER pro tempore (Mr. COOPER). The gentleman has one-half minute remaining.

Mr. LUTHER A. JOHNSON. I yield to the gentleman.

Mr. COFFEE of Nebraska. In the event the arms embargo is repealed, does not the gentleman fear that sabotage and dynamiting of our munitions plants in this country will occur?

Mr. LUTHER A. JOHNSON. Well, we are liable to have sabotage regardless of that fact. There are charges of sabotage on some of our vessels now, including one of our battleships. I do not think because we repeal that law it is going to prevent or encourage sabotage. I think it will go on anyway while the war is on.

Mr. COFFEE of Nebraska. May I ask the gentleman a further question? In the event this is repealed, does not the gentleman feel that the full force of the submarine campaign will be directed at the commerce leaving our shores, regardless of whether the commerce leaves in our own vessels or not?

Mr. LUTHER A. JOHNSON. Of course, a submarine campaign will be waged probably against all ships, but should not be against ours, if we are not carrying goods to belligerent nations.

[Here the gavel fell.]

#### APPENDIX

DEPARTMENT OF STATE,  
September 19, 1939.

The American chargé d'affaires in Berlin, Mr. Alexander Kirk, has reported to the Department of State that two amendments have been issued to the Prize Law Code which increase the articles and materials to be considered as absolute and conditional contraband by the German Government. The Government of the Reich has enacted and promulgated the following law:

#### "ARTICLE 1

"The following articles and materials will be regarded as contraband (absolute contraband) if they are destined for enemy territory or the enemy forces:

"One. Arms of all kinds, their component parts and their accessories.

"Two. Ammunition and parts thereof, bombs, torpedoes, mines, and other types of projectiles; appliances to be used for the shooting or dropping of these projectiles; powder and explosives, including detonators and igniting materials.

"Three. Warships of all kinds, their component parts and their accessories.

"Four. Military aircraft of all kinds, their component parts, and their accessories; airplane engines.

"Five. Tanks, armored cars, and armored trains; armor plate of all kinds.

"Six. Chemical substances for military purposes; appliances and machines used for shooting or spreading them.

"Seven. Articles of military clothing and equipment.

"Eight. Means of communication, signaling and military illumination, and their component parts.

"Nine. Means of transportation and their component parts.

"Ten. Fuels and heating substances of all kinds, lubricating oils.

"Eleven. Gold, silver, means of payment, evidences of indebtedness.

"Twelve. Apparatus, tools, machines, and materials for the manufacture or for the utilization of the articles and products named in numbers 1 to 11.

#### "ARTICLE 2

"Article 1 of this law becomes article 22 paragraph 1 of the Prize Law Code.

"This law becomes effective on its promulgation."

The Government of the Reich on September 12, 1939, made an announcement relating to conditional contraband which read in part:

"The following is accordingly announced:

"The following articles and materials will be regarded as contraband (conditional contraband) subject to the conditions of article 24 of the Prize Law Code of August 28, 1939 (Reichsgesetzblatt, pt. 1, p. 1585):

"Foodstuffs (including live animals), beverages, and tobacco, and the like, fodder and clothing; articles and materials used for their preparation or manufacture.

"This announcement becomes effective on September 14, 1939."

DEPARTMENT OF STATE,  
September 13, 1939.

The Department of State has been informed by the British Ambassador that a proclamation has been issued in London specifying the articles to be treated as contraband of war by His Majesty's Government, and that these articles are as follows:

#### "SCHEDULE I—ABSOLUTE CONTRABAND

"(a) All kinds of arms, ammunition, explosives, chemicals, or appliances suitable for use in chemical warfare and machines for their manufacture or repair; component parts thereof; articles necessary or convenient for their use; materials or ingredients used in their manufacture; articles necessary or convenient for the production or use of such materials or ingredients.

"(b) Fuel of all kinds; all contrivances for, or means of, transportation on land, in the water or air, and machines used in their manufacture or repair; component parts thereof; instruments, articles, or animals necessary or convenient for their use; materials or ingredients used in their manufacture; articles necessary or convenient for the production or use of such materials or ingredients.

"(c) All means of communication, tools, implements, instruments, equipment, maps, pictures, papers, and other articles, machines, or documents necessary or convenient for carrying on hostile operations; articles necessary or convenient for their manufacture or use.

"(d) Coin, bullion, currency, evidences of debt; also metal, materials, dies, plates, machinery, or other articles necessary or convenient for their manufacture.

#### "SCHEDULE II—CONDITIONAL CONTRABAND

"(e) All kinds of foods, foodstuffs, feed, forage, and clothing and articles and materials used in their production."

#### EXTENSION OF REMARKS

Mr. D'ALESSANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article in the issue of Central Constructor of October 3 on P. W. A. and the special session.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHAFER of Wisconsin and Mr. CASE of South Dakota rose.

The SPEAKER pro tempore. The Chair will announce that under a previous order of the House the gentleman from Ohio [Mr. SMITH] is entitled to recognition at this time.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. SMITH of Ohio. I yield.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House for 10 minutes after the gentleman from Ohio [Mr. SMITH] concludes his remarks.

The SPEAKER pro tempore. The Chair will call the gentleman's attention to the fact that after the gentleman from Ohio concludes there is another special order of 5 minutes of the gentleman from Michigan.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that I may be permitted to follow the last speaker who is scheduled for today and address the House for 10 minutes.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that he may proceed for 10 minutes at the conclusion of the special order of the gentleman from Michigan [Mr. HOFFMAN]. Is there objection?

There was no objection.

Mr. SCHAFER of Michigan. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

#### EXTENSION OF REMARKS

Mr. SCHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes following the gentleman from Wisconsin [Mr. SCHAFER].

The SPEAKER pro tempore. The gentleman from Montana asks unanimous consent to proceed for 10 minutes at the conclusion of the remarks of the gentleman from Wisconsin [Mr. SCHAFER]. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object—

The SPEAKER pro tempore. The gentleman from Ohio is entitled to the floor.

Mr. HOFFMAN. Mr. Speaker, will the gentleman from Ohio yield?

Mr. SMITH of Ohio. Yes.

Mr. HOFFMAN. Mr. Speaker, may we be advised of the request made by the gentleman from the Third Michigan District?

The SPEAKER pro tempore. The gentleman from Michigan secured unanimous consent to revise and extend his own remarks.

Mr. HOFFMAN. His own remarks?

#### EXTENSION OF REMARKS

Mr. HORTON. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. SMITH of Ohio. I yield.

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein an editorial appearing in the Saturday Evening Post of today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. CASE of South Dakota. I wonder if the gentleman would yield to me to read one or two sentences found in a speech by the gentleman from Texas [Mr. LUTHER A. JOHNSON], made 2 or 3 years ago, on the subject on which he addressed the House this morning?

Mr. SMITH of Ohio. I yield.

Mr. CASE of South Dakota. On the 16th of March, during the debate on the passage of the Neutrality Act which

is now a law, the gentleman from Texas [Mr. LUTHER A. JOHNSON], who has just spoken, made a very persuasive speech, fully as persuasive at that time as the speech was today, in which he said:

It would seem that by now the nations of the earth would have learned that war does not pay. We have learned it in America, but in Europe and the Orient the dark clouds of war are again threatening and menacing the peace of the world.

Having learned our lesson we are determined to set our house in order so that when the storm breaks we shall be prepared to safeguard as best we can our peace and prevent our involvement if possible. If other nations elect to kill and destroy we shall refuse to be dragged into the conflict. And, furthermore, we will prevent our country or our citizens from selling or furnishing to nations engaged in war arms, ammunition, or implements of war, and this bill does just that. This provision is mandatory and applies to all warring nations. We say to the nations of the earth that we are against war and will not become parties to it or aid and abet in it by furnishing the means or implements of destruction.

This is permanent legislation and the wars of the future will differ in duration, intensity, and location.

And the gentleman went on to say that this was not merely to prevent our involvement in war, but was also to act as a deterrent to war.

#### INTERNATIONAL CUSTOM CONDEMNS THE SALE OF MUNITIONS OF WAR BY NEUTRAL NATIONS TO BELLIGERENTS

Mr. SMITH of Ohio. Mr. Speaker, the discussion which is to follow is based almost entirely on a two-volume work published by the Carnegie Endowment for International Peace entitled "A Collection of Neutrality Laws, Regulations, and Treaties of Various Countries," in the form of an advance copy.

The two great pillars upon which the proponents for the repeal of the arms embargo rest their arguments are: First, that the prohibition of the sale of war materials to belligerents by private citizens is a departure from our traditional policy of neutrality as laid down by Washington; second, that we have departed from international law. This course, they contend, serves not to keep us out of war but to get us into war.

Let us examine their claims and see what there is to substantiate them. When this is done, I believe we shall find no historical basis to sustain their position. I have been unable to find any evidence to indicate that the unrestricted sale by private persons of munitions of war to belligerents was at any time an essential part of our neutrality policy.

Nor can I find any evidence to indicate that our arms embargo departs in the least from the international law and custom as it exists today.

On the contrary, there is an abundance of proof to show that our arms embargo is not in disharmony with the principles of neutrality as laid down by Washington and practiced since his time until 1917, and that it is in complete harmony with the more advanced principles of neutrality throughout the world.

The first Embargo Act passed in the United States was that of May 22, 1794. It provided for the prohibition of export of arms and ammunition for a period of 1 year.

June 14, 1797, substantially the same arms-embargo provision as that contained in the 1794 act was made into law for a "limited time \* \* \* for encouraging the importation thereof."

Again, April 1798, the same provision was reenacted into law "for 1 year from and after the present session of Congress."

During the administrations of Washington, Adams, and Jefferson several embargo acts were passed, some embargoing shipments of arms and ammunition and some restricting all commercial intercourse.

I shall not discuss the significance of these acts except to mention that they were intended to combat the depredations the English and French were carrying on against our trade and also to keep our Nation out of foreign wars.

Certain it is they were not a leading cause of the War of 1812, as has been alleged.

March 10, 1838, an act was passed covering a period of 2 years forbidding the exportation of arms where there was



reason to believe such might be used in a war within the territory or district or people conterminous with the United States.

April 22, 1898, there was passed a joint resolution to prohibit the export of coal or other material used in war from any seaport of the United States, which provided:

The President is hereby authorized, in his discretion \* \* \* to prohibit the export of coal or other material used in war from any seaport of the United States. \* \* \*

This resolution was amended March 14, 1912, which provided:

Whenever the President shall find that in any American country conditions of domestic violence exist which are promoted by the use of arms or munitions of war procured from the United States, and shall make proclamation thereof, it shall be unlawful to export except under such limitations \* \* \* any arms or munitions of war. \* \* \*

This resolution was extended and reenacted January 31, 1922. It is important to note that the law of 1898 remained on the statute books until 1912. Here was a period of 14 years when we had a law that permitted a complete embargo on arms to belligerents. The language of that act was far more embracing in its scope than that of the present embargo law.

May 28, 1934, a joint resolution was passed prohibiting the sale of arms to Bolivia and Paraguay in their conflict over the Chaco.

Then came the successive Embargo Acts of 1935, 1936, and 1937. Also the act and proclamations against selling arms to Spain in 1937, and the sanctions—though this word might be objectionable to some—against Italy in 1935.

In addition, it should be mentioned the proclamations that were issued against exports of arms to China in 1922 and Cuba in 1924.

True, the McKinley Arms Embargo Act of 1898 was discretionary, rarely invoked, and then only in a limited way, as was the case with the Dominican Republic in 1905 and Mexico in 1919 and 1921. It may be argued that the act of 1898 was not passed as a neutrality measure, but the fact that it could have been so used places it in the classification of our neutrality legislation. The effect upon the sale of arms is the same regardless of the purpose for which an embargo is placed.

It must also be remembered that President Grant, in his neutrality proclamation during the Franco-Prussian War, issued an order prohibiting our ships from carrying arms and munitions and other contraband of war to the belligerents.

Including the recent 5 years that we have had the arms and munitions embargo and the period from 1898 to 1912, we have had a fairly complete arms embargo for nearly 20 years. Over a period of an additional 24 years we have had what may be called a selective arms embargo, such as that against China in 1922. To which add the several years that the embargoes of Washington and Jefferson were in effect, and it is seen that in all we have had an arms and munitions embargo of some sort and in some degree for about one-third of the life of our Nation.

Those who favor the lifting of the arms embargo, and who base so much of their argument on our historic neutrality policy, should be a little more explicit. They should tell us what they mean when they say this policy has been to permit individual citizens, while our Nation is neutral, to freely sell arms to belligerents, and in what respects this practice has been an essential part of our neutrality policy. Surely a foreign policy that is as vital to the welfare of our Nation as it is claimed the free sale of arms to belligerents is, should have received more attention and care than apparently has been manifested by some of our statesmen in times gone by. Does it not appear from the serious interruptions and suspensions that this policy has suffered it may after all not have the intrinsic merit we have been led to believe it has? Certainly, when the statutes themselves provide for the prohibition of the export of munitions of war, as heretofore shown, there must be doubt as to the validity of their argument.

Just how can Washington's policy of neutrality be linked up with the program of the repealists? Where or when did he ever do anything, say anything, or even remotely hint at anything to indicate that the refusal of our Nation to permit our citizens to sell war supplies to a belligerent would jeopardize our neutrality?

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. CASE of South Dakota. I think the gentleman is making an interesting and informative address. I wonder if he has given attention, in speaking of the Hague Convention in 1907, to the section in regard to naval category. If I remember correctly, there is a section in that which, despite the section which the gentleman has just quoted, provides specifically that neutrals shall take care that no ship shall depart from their jurisdiction that may be utilized in any way by a belligerent to engage in hostile operations against a nation with whom the nation permitting the departure is at peace. So that in that instance the Hague Convention puts a ban on the delivery or permitting the delivery of battleships or vessels to belligerents.

Mr. SMITH of Ohio. I am very glad to have that contribution.

Mr. THORKEKELSON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. Yes.

Mr. THORKEKELSON. I understand the gentleman has made considerable research into this matter. Let me ask the gentleman this question. Has the gentleman found in that research any previous occasion when any neutral nation enacted into legislation rules or laws establishing zones on the ocean, such as from parallel 30 south in the Pacific Ocean, and giving the neutral nation a right by law to trade with a belligerent and carry war material? Has the gentleman found any such thing in his research?

Mr. SMITH of Ohio. In answer to the question of the gentleman, I would say that I have not made any study of that particular question.

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. Yes.

Miss SUMNER of Illinois. Has the gentleman in his interesting study of the history of this legislation reached the same conclusion that I have—that this law is a law today largely as a result of the activities of the Nye committee investigating the activities in lobbying of the munitions industry, which disclosed that there was lobbying which prevented the enactment of embargo legislation during the 1920's and lobbying against the so-called activities of Hoover and his "cookie pushers" in the disarmament conference in Geneva; and that those disclosures so shocked the Nation that this legislation was the result of a united public opinion?

Mr. SMITH of Ohio. I thank the gentlewoman for her contribution.

It appears to me, therefore, that the advocates for repeal, in basing their claims upon the policy of neutrality of Washington, as well as that practiced since his time, or up to 1917, fail altogether in supplying any proof for their contention.

Now, let us see what so-called international law says about the rights and duties of neutrals with respect to selling arms to belligerents. Formally it has said very little. Article 7 of the Hague Convention of 1907 reads:

A neutral power is not bound to prevent the export or transit, for the use of either belligerent, of arms, ammunition, or, in general, of anything which could be of use to any army or fleet.

Note particularly it says "the neutral power is not bound to prevent," and so forth. We shall later return to this point.

Much, however, has been done by the nations to develop the principle of embargoing munitions of war to belligerents as an instrument of neutrality. There has developed in the last century and a half an immense body of international custom of embargoing war material to nations at war. This has

evolved entirely from the great service this restriction renders to the cause of neutrality.

In the war between France and England in 1803, the Austrian monarch issued a decree—

forbidding all our subjects, who are navigators and merchants, to transport, for the powers at war, \* \* \* cannons, mortars, or arquebuses, pistols, bombs, grenades, bullets, guns, gunflints, fuzes, powder, saltpeter, sulfur, pikes, swords, sword belts, cartridge boxes, saddles, and bridles.

When the Crimean War in 1854 broke out, Austria issued orders prohibiting her merchantmen from carrying contraband of war, and also forbidding the export of arms and ammunition over the Austrian frontier to the Russian and Ottoman States.

As a neutral again in 1870, during the Franco-Prussian War, she issued a complete arms embargo. The decree read as follows:

It is forbidden to supply those powers with articles which, according to the general law of nations, \* \* \* are contraband.

Brazil in 1914 prohibited the exportation of arms and ammunition of war to Bolivia and Paraguay in 1933 in the Chaco dispute; to Spain and Chile in their war in 1866; to the belligerents in the Spanish-American War.

Great Britain passed the Customs and Consolidation Act, 1853, wherein it is—

declared and enacted as follows:

The following goods may, by proclamation or order of council, be prohibited either to be exported or carried coastwise: Arms, ammunition, and gunpowder, military and naval stores, and any articles which Her Majesty shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions, or any sort of victual which may be used as food by man.

Under this act it was decreed in 1861 to prohibit the exportation of "all gunpowder, saltpeter, nitrate of soda and brimstone, arms, ammunition, military stores, lead."

In 1931 she issued an order prohibiting the exportation of weapons and munitions of war of practically every description. In 1937 the chemicals that can be used in warfare were added to the list.

In the war between Austria and France and Sardinia, in 1859, England forbade her subjects carrying contraband to the belligerents.

In her neutrality proclamation in the Civil War in 1861 England prohibited her subjects from "carrying arms, military stores \* \* \* or contraband of war," and repeated the same during the Franco-Prussian War.

As far back as 1825 Britain, by order of council, prohibited the exportation of munitions. In that order is mentioned a long list of the articles that come under the decree.

She placed an embargo on arms to Spain in 1936. She prohibited her ships from carrying war materials to Uruguay and Paraguay and Brazil during their hostilities in 1865; and to Russia and Japan during their conflict in 1904.

Denmark in a royal order regulating the conduct and defining the obligations of merchants and marines in time of war between maritime powers, May 4, 1803, said:

Since according to the generally accepted principles the subjects of a neutral power cannot be permitted to transport in their vessels goods that would be considered contraband of war, if they were destined for the ports of a belligerent power or if they belonged to its subjects.

The following articles were decreed to be contraband:

Cannons, mortars, arms of all kinds, pistols, bombs, grenades, bullets, balls, guns, gunflints, fuzes, powder, saltpeter, sulfur, breastplates, pikes, swords, swordbelts, cartridge boxes, saddles, and bridles.

Denmark has issued numerous proclamations of a similar nature—in the Russo-Turkish War in 1877; in the Russo-Japanese War in 1904; in the Franco-Prussian War in 1870; in the Spanish-American War in 1898; in the World War in 1915; and in a number of other wars.

Germany, in 1854, at the outbreak of the Crimean War, embargoed all war supplies to belligerent powers. She issued another decree forbidding her maritime merchants to supply any articles of contraband to the belligerents in 1781; another forbidding the export of arms to Russia in 1920.

Japan prohibited Japanese vessels from carrying arms or munitions of war to the hostile parties in the Franco-Prussian War.

The Netherlands passed an act in 1914 which provided:

In case of war or threat of war, we shall have power to prohibit altogether or to restrict the exportation of necessary commodities.

Exportation of arms, ammunition, and so forth, to belligerents was forbidden in the Spanish-American War.

The Netherlands prohibited exportation of arms and munitions during the Franco-Prussian War. She issued similar decrees in the Spanish-American War, World War, Russo-Turkish War in 1877, Russo-Japanese War, Italo-Turkish War in 1911. She forbade carrying of contraband to belligerents in the Crimean War, which the decree said was in "contravention to the obligations imposed on neutral powers by international law to export ammunition by sea."

Norway, in the Royal Ordinance of May 4, 1803, said:

According to the principles generally agreed upon, the subjects of neutral governments are not permitted to have goods on board which are considered as contraband of war destined for or belonging to the belligerent powers or their subjects—

The articles considered as contraband of war are then specified—

nor shall it be lawful for the owner or master of any vessel to let it be used for transport of \* \* \* arms or ammunition of any description.

In the Crimean War, Franco-Prussian War, Russo-Turkish War, and Russo-Japanese War, Norway placed similar restrictions. The sale of every article of contraband was forbidden in the Franco-Prussian War.

Spain during our Civil War prohibited the "transportation of effects of war for belligerents." She did the same in 1870 during the Franco-Prussian War.

The SPEAKER pro tempore (Mr. COOPER). The time of the gentleman from Ohio has expired.

Mr. LUDLOW. Mr. Speaker, in view of the fact that the gentleman from Ohio [Mr. SMITH] is making a notable contribution to the discussion of neutrality, for which I think the Congress and the country owe him a debt of gratitude, I ask unanimous consent that his time be extended for 10 minutes.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that the time of the gentleman from Ohio be extended for 10 minutes. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Sweden in a decree in 1800 stated:

Swedish ships destined for ports of a belligerent power must, with the utmost care and under the severest penalties, avoid carrying contraband—

The same then defines a long list of contraband articles.

In 1804 she issued a regulatory order, as follows:

All our subjects in general are forbidden, under the strictest accountability and inevitable penalties for violators, to engage in contraband trade with the subjects of any of the belligerent powers; and it is likewise forbidden, under similar accountability and penalties, the commanders of our warships and the captains of Swedish merchant ships bound for a port belonging to or subject to either of the nations at war, to load, to have, or to conceal on board any contraband of war; and in order to avoid any ambiguity or misunderstanding as to what is properly to be considered contraband of this nature, we declare that nothing but the following goods shall be included under this head: Cannons, mortars, firearms, pistols, bombs, grenades, bullets of all kinds, guns, gunflints, fuzes, powder, saltpeter, sulphur, breastplates, pikes, swords, sword belts, cartridge boxes, saddles, and bridles.

In a Notification of Principle of Neutrality, in the Crimean War in 1854, she issued the following:

Sec. 5. All kinds of goods, even such as belong to belligerents, may be carried in Swedish ships as neutral, except contraband of war; by which are understood, cannons, mortars, all kinds of arms, bombs, grenades, balls, flints, linestocks, gunpowder, saltpeter, sulfur, cuirasses, pikes, belts, car-touch-boxes, saddles, bridles, and all other manufactures (tillverkningar) immediately applicable to warlike purposes.

Sec. 6. Swedish sea captains are forbidden to carry articles contraband of war, for any belligerent power.

Sec. 7. Vessels belonging to belligerents may bring into, or take away from Swedish harbors, any and every kind of goods, provided they are permitted by the tariff, and always excepting such as are contraband of war.



In 1904 she issued an order prohibiting her ships carrying contraband.

In 1933 and 1935 she issued a decree forbidding the exportation of arms and ammunition.

A proclamation was issued in the Sardinian War in 1859 prohibiting Swedish ships from carrying contraband.

Switzerland by an ordinance, August 4, 1914, forbade exportation of arms and munitions, and all military material.

In 1859 Switzerland, under article 90, section 9, of the Federal Constitution and the decree of the Federal Assembly of May 5, 1859, prohibited exportation of munitions of all kinds across the Swiss-Italian border.

Under the same authority, in 1866, exportation of war material to belligerents was forbidden.

In 1870 the Swiss Government reminded its citizens that the exportation of arms to belligerents was forbidden by law.

Belgium in 1870 prohibited exports of all war materials to the belligerents.

I have given you some of the important laws and decrees of most of the states relating to the prohibition by a neutral nation of the sale, exportation, and transportation of material used for war purposes to belligerents.

This work of Deak and Jessup, from which I have taken all the material for this discussion, shows there are more than 160 such acts and ordinances that have been put into operation in the last 150 years. The thing that strikes one most forcibly in studying this work, is the preponderance of evidence that the nations of the world are generally agreed to the absolute need of an arms embargo as one of the first requisites of strict neutrality. Indeed, I think it may now be safely stated that one of the prime essentials of self-preservation of any nation is the complete prohibition of the sale of munitions of war to belligerents. The Baltic states and Switzerland have, in my opinion, firmly and conclusively demonstrated this principle. How long could any one of them stay neutral if it sold implements of war to one or both belligerents? Hardly overnight.

On September 28, 1939, there appeared in the Washington Star a news item, which stated:

Scandinavian and Baltic States barred war materials to belligerents.

"Let us return to international law," say those who urge repeal of the arms embargo, and rest their case there.

Just what international law or custom do the proponents of repeal refer to? Whose international custom is it to which they would have us appeal for our rights to sell munitions of war to belligerents?

Is it the international law of Norway, Sweden, Denmark, Belgium, the Netherlands, and Switzerland, who, as neutrals for many years, have more and more made it a practice to prohibit the sale of arms to belligerents? Even the belligerents have come to respect this custom, and concede that it is the natural right of those neutral nations to prohibit the sale of arms to them. Is it this recognition that the repealists appeal to to substantiate their claim that international custom sanctions the sale of arms by a neutral to belligerents?

Mr. HARE. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. HARE. I have listened with a great deal of interest to the gentleman's historical references, but I obtained a different viewpoint from that which the gentleman is now expressing, from the quotations. I got the idea that the laws referred to by the various countries were prohibiting exportation of munitions of war to warring nations by their own ships, and no reference was being made to the sale of those commodities to belligerent nations. Is there not a distinction to be made between a law prohibiting exportation by ships of a country and one prohibiting the sale of munitions to a belligerent nation?

Mr. SMITH of Ohio. Where the word "exportation" is used without reference to ships, I think it means the exportation of all armaments by any means.

Mr. HARE. I obtained the impression from a reading of those quotations, to which you have referred, that they referred to the exportation of those munitions of war by ships of those neutral nations, and not prohibiting the sale.

Mr. SMITH of Ohio. The gentleman did not listen very well to my dissertation, because it is stated plainly "the embargoing of arms."

Mr. HARE. The embargoing of arms by the ships of that nation, but not placing an embargo on the sale.

Mr. SMITH of Ohio. I did not say that, and the text will show I did not say that, and this work does not say that, and it does not exist.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I will be glad to yield to the gentleman.

Mr. VORYS of Ohio. Is it not true that our Embargo Act uses the words that "it shall be unlawful to export or attempt to export," and those words in themselves are sufficient to prevent sale at all to belligerents?

Mr. SMITH of Ohio. That is true.

Mr. HARE. I am trying to bring out whether there is a distinction or difference between passing a law preventing exportation and one prohibiting sale. If we export, that means that we take the initiative and take the liability and responsibility of delivery, but a law against the sale would have an entirely different meaning.

Mr. SMITH of Ohio. There are many instances where that difference is stated in this work.

Mr. HARE. I did not mean to create an argument, but I just wanted to see if the gentleman from Ohio obtained the same viewpoint that I did from a reading of his quotations.

Mr. SMITH of Ohio. You may have it both ways, because there are acts which apply both ways.

Mr. HARE. I thank the gentleman very much.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. CRAWFORD. Do I understand those two volumes from which the gentleman is quoting were prepared by the Rockefeller Institute for International Peace?

Mr. SMITH of Ohio. This is an advance copy of A Collection of Neutrality Laws, Regulations, and Treaties of Various Countries, edited by Francis Deak and Philip C. Jessup, research in international law under the auspices of the faculty of the Harvard Law School, published by the Carnegie Endowment for International Peace.

Mr. CRAWFORD. Does the gentleman think that that great force for peace would prepare a study of that kind simply for the purpose of indicating that shipowners could not carry implements of war? Would they go to the expense and cut down their own dignity by putting out such a study, in your opinion?

Mr. SMITH of Ohio. I do not believe so.

Mr. SOUTH. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I shall be glad to yield to the gentleman.

Mr. SOUTH. The gentleman's discourse is indeed very interesting. However, I am not sure whether it is conducive to the opinion that embargo legislation has been a success. I wonder if it does not indicate the contrary. More than 200 laws of various types have been referred to by the gentleman, and yet today, after having had embargo and having repealed it or having permitted it to expire, as was done in those different cases, the gentleman cannot today tell us of one important world power that undertakes now to enforce the kind of embargo that we have in this country, can he?

Mr. SMITH of Ohio. I can name more than one.

Mr. SOUTH. Important world powers.

Mr. SMITH of Ohio. Belgium, Holland, Switzerland, Norway, and Denmark.

Mr. SOUTH. Of course I said "important world powers."

Mr. SMITH of Ohio. The gentleman does not consider those important world powers?

Mr. SOUTH. Well, does not the fact that so many nations have tried and abandoned the law, suggest to the gentleman that perhaps after all it has not been a success, and, therefore, the nations that have tried it have abandoned it?

Mr. SMITH of Ohio. I know of no nation that has tried it and abandoned it.

Mr. SOUTH. Have we not done that ourselves?

Mr. SMITH of Ohio. Except the United States of America; or tried to abandon it.

Mr. SOUTH. Well, the gentleman named England and various states that had embargoes at different times.

Mr. SMITH of Ohio. But they have not considered it a failure, nor have they repealed their embargo laws.

Mr. SOUTH. Well, do they have it now?

Mr. SMITH of Ohio. Yes.

The SPEAKER pro tempore. The time of the gentleman from Ohio has again expired.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that the gentleman have 5 additional minutes. He is making a very important statement.

The SPEAKER pro tempore. The Chair invites attention to the fact that there are several other special orders.

Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. THORKELOSON. Will the gentleman yield for a question?

Mr. SMITH of Ohio. I yield to the gentleman from New York [Mr. REED].

Mr. REED of New York. I just wanted to point out in connection with these laws and their enforcement the fact that Norway and Sweden have had peace for at least 100 years; and I challenge any man to point to any two countries where they have done more along the lines of social legislation for their people than these two countries. You cannot find anywhere in the world anything in the nature of legislation that tends to lift the people to a higher level, a higher standard of living, than you will find in these countries. The reason for this is that they have enforced their neutrality, they have been at peace for 100 years and where most nations have spent their money in war these two countries have spent theirs in improving the standard of living of their peoples.

Mr. SMITH of Ohio. I thank the gentleman for his contribution. The neutrals themselves outside the Scandinavian states and Switzerland, even the big ones, the bully ones have come to fully recognize and respect the custom and the right of the former to prohibit the sale of munitions as an instrument for maintaining neutrality for their self-preservation. Is it this recognition and respect they refer to as the international law that proscribes our arms embargo? We have seen that many, many arms embargo acts and ordinances have been passed and put into operation during the last century and a half by nearly all the nations of the world as neutrals. We know of no serious challenge by any nation or group of nations to the right of any one of the numerous countries that have placed prohibitions on the sale of arms as an instrument of neutrality. Is it this complete and universally recognized right that the proponents for the repeal call international law, and that gives sanction to their claims?

Certainly the great body of custom of neutral nations to prohibit the sale of munitions of war to belligerents, and the universal recognition by all the nations and even the belligerents themselves, of the right of resorting to such prohibition, settles at least one practical question for us now, namely, that we as a neutral, have the unchallengeable right to the use of the arms embargo as a means of neutrality to preserve our own interests. To deny this is to deny our right to sovereignty.

The only question that remains is whether there exists real justification for us as a neutral nation, to sell armaments to the belligerents.

I mentioned some time back article 7 of the Hague Convention of 1907. I shall read it again—

A neutral power is not bound to prevent the export or transit, for the use of either belligerent, of arms, ammunition, or, in general, of anything which could be of use to any army or fleet.

Does that sound like a recognition of any right?

A neutral power is not bound to prohibit—

Is it possible to put any other construction upon this phrase than that while it is not prohibited for a neutral power to sell

arms to belligerents there is just enough wrong about it that it should not be done?

We have not forgotten the story about the Hessian soldiers England brought over here to fight us in the Revolutionary War. All of our children have ever since been taught the horror of nations hiring out, for money, their soldiers to fight other people's wars. Yet we should be reminded that this was at that time a common practice. In Neutrality and Peace, by Nicolos Politis, we read:

So matters stood during the seventeenth and eighteenth centuries. Henry IV permitted whole regiments of his army to go into the service of the United Provinces. In 1630 Charles I of England, entirely at peace with the Emperor, allowed the Marquis of Hamilton to put a body of 6,000 men at the disposal of Gustavus Adolphus, for use in his expedition into Germany. He even furnished him with important pecuniary subsidies. The court of Vienna protested to London, but not very insistently, because, since they were tolerated equally in behalf of both adversaries, levies of troops were not considered as acts contrary to neutrality.

Such was the general practice of that period. It is explained by the character of the wars of the sixteenth and seventeenth centuries which did not favor the development of neutral duties.

The entire world has long ago placed its final stamp of condemnation upon this barbaric practice. I am certain the same fate awaits what is still left of the practice of neutrals selling arms to belligerents.

Though most unpleasant to admit, it appears to me our country is trailing far in the rear in the march of the nations toward peace through the prohibition of the sale of armaments of war to belligerents. Whatever may have been our past policy, in the light of the growing sentiment throughout the world, we are forced to concede the incompatibility of true neutrality and the sale of war supplies to nations engaged in conflict. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. COOPER). Under the previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 5 minutes.

#### LABOR LEGISLATION AND PREPAREDNESS

Mr. HOFFMAN. Mr. Speaker, it seems idle to some of us to debate this question of neutrality if the press gives an accurate account of what happened in the other Chamber of the Capitol yesterday. The headlines of the Washington Post carry the information that Senators BURKE and WHITE demand that we aid the Allies—whoever they may be—as a matter of duty. Here is the headline: "BURKE, WHITE urge open aid to Allies as United States duty." If that be an accurate statement of what the Senators urge, it would seem that the mask is off, and while we are not in the war today we may expect to be next week or perhaps a little later.

We all know that the President is preparing for war, whatever may be his intentions about putting us into it. We all know that the plan for a draft—a skeleton plan at least—has been outlined. We all know that plans for the mobilization of industry and war resources have been drawn. This being true, it would seem as though, if we were going into war, whether we wish to go in or stay out, we should back up the President's program. It would be better if he would come out and tell us flatly and frankly whether we are going in or whether we are going to stay out. If he has such a plan, and we know he has—that is, I mean a plan of preparedness—why should we not do something to prevent interference with that plan? As was stated yesterday on the floor, we have appropriated millions of dollars—yes, billions of dollars—to get ready. The morning papers carry the information that up in Detroit some 55,000 men are out of work because of strikes in the Chrysler plants. The morning papers carry the information that over in Kenosha, Wis., although the company has agreed to put into effect the demand for an increase in wages, plants are closed. The morning papers carry the information that the National Labor Relations Board has ordered a hearing in the packing industry, at Armour's in Chicago. Although motor plants may be making automobiles and trucks at present we know that motor, bearing-production plants, and the meat industry are essential industries and that we must have them



operating at full capacity if we are adequately to prepare for any war that is coming or even if we are to help, as Senator BURKE and Senator WHITE stated yesterday, if we are to help our Allies—although, of course, most of us did not know until today that we had any Allies. I had supposed from the debate that has taken place over in the Senate that we were neutral and that we were trying to maintain our neutrality. Apparently, however, if Senator CLARK was right in what he stated yesterday when he referred to a speech made by Mr. Johnson, of the War Department, we are already committed to a war.

The point is that if we are to back up the President in this program of preparedness, if we are to back him up in this plan of assisting these Allies of ours, why should we let industry be stopped even for a day, even for a moment, by these unions? Why should we refuse here and now to take up and amend the Wagner law? Have you heard about that before? That is the thing that is causing the trouble. That is the thing which, according to the American Federation of Labor, enables the C. I. O. to close these plants. Now, listen! Eighteen times the President of the United States has called on John L. Lewis to do something to make peace in the ranks of labor. If the President is going to help Great Britain and France, has he been helping Lewis to disrupt the labor organizations? Is that what he has been at the last few years? If he has not, then why cannot that law be amended?

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. You will all recall that some of us in the last session wanted to bring that Wagner law out and have it amended. You all recall how the A. F. of L. in the hearings before the Senate committee and the House committee condemned the Labor Board because of its partisan activity. You all know that industry, the manufacturers, the men who must produce, the men who must pay the wages, said that that law was unfair.

They proved that the law was unfair. That law provided penalties against the employers. It provided for no penalties against labor racketeers or labor organizers who were inspired by and used the methods of Communists. All this being true, and the A. F. of L. industry at large, and 70 percent of the people themselves, as shown by the polls, being in favor of amendment of that law, and within the past week having John L. Lewis' statement that the Board is partisan, biased, and prejudiced, if they are all agreed that the operation of the Board is improper, its activities are all wrong, that it is making trouble, that the law needs amendment, what reason is there to refuse longer in this special session to bring out the resolution and take care of the situation?

The papers tell us today that Madam Perkins last night sent a mediator up there to Detroit. I may say that Michigan is the heart of this industry which manufactures motorcars, trucks, and bearings. You stop that heart through these communistic labor organizations, or organizations which belong to the C. I. O., and what do we have? Why do we permit that?

Mr. CRAWFORD. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I think the RECORD will show that the great mass of products which are expected to be shipped from this country to the Allies, to which the gentleman has referred, will necessarily consist of two primary parts—first, parts for airplanes; and, second, parts for automobiles, trucks, or motorized equipment. If the automobile industry and the airplane industry of Detroit and Greater Michigan, we will say, is to be thus interfered with, what chance have we in this country to prepare ourselves for such defense as we may have to put up, to say nothing about furnishing supplies to the Allies after the new neutrality bill has been put into operation?

Mr. HOFFMAN. The manufacturer of airplanes and the manufacturer of trucks and motors to be used by the Army

depend absolutely upon the operation of these bearing plants. There is no question about that.

Mr. CRAWFORD. And that is the industrial zone to which the gentleman has referred where the strikes are now in operation?

Mr. HOFFMAN. Yes.

Mr. CRAWFORD. This is in time of war. The Government has full cognizance of the fact that the whole procedure is being prevented from operating by these strikes?

Mr. HOFFMAN. There is no question about this statement: The picket line around the Bohn Aluminum & Brass Corporation prevented the delivery of the Navy's own castings to them, and, as I pointed out, they manufacture the bearings for a special type of airplane.

Mr. CRAWFORD. After they had been processed and made ready for shipment?

Mr. HOFFMAN. After they were all ready for delivery. Mind you, that plant was on strike for 41 days. Those bearings were all ready to go into the motors which were ready to be put into this special type of airplane. You will get this information officially in a few days in answer to the resolution I offered today; yet the executive department of the Government, the Labor Department, is not taking effective steps to prevent deliveries being delayed or to prevent strikes being called. We sit here and let that go on.

Now, suppose we get into this war and you have relatives, sons, or brothers across the sea whose lives and safety depend on an airplane or depend upon some of these motortrucks or some of this mechanized artillery. Suppose they are relying on those for their protection or for the winning of the war. They turn to us and say, "Why do you fellows stay there and let those things go on as they are going?" I am sure there are men right on the floor who know from their own experience in the last war how their safety overseas was endangered because of the failure of the people at home to get materials—guns, ammunition, supplies—which they needed.

Mr. HAWKS. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Wisconsin.

Mr. HAWKS. What has this racketeer Lewis got on the administration that it does not do something about the matter?

Mr. HOFFMAN. I am not one of the inner council of the administration. The gentleman might ask Hugh Johnson or Ray Clapper.

Mr. MICHENER. It has been suggested that somebody supped at the labor table.

Mr. HOFFMAN. Yes. I think that was a statement made by Mr. Lewis. He called attention to the fact that he should get a return for the \$470,000 campaign contribution—that he ought to get something substantial.

Mr. WOODRUFF of Michigan. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. WOODRUFF of Michigan. I was one of those in France during the late unpleasantness and I was there for many months. I was there during the months when the men in the trenches, Mr. Speaker, were eagerly looking day after day for some evidence that would show that the hundreds of millions of dollars which had been spent in this country for aircraft had been properly spent. That sum amounted to more than \$700,000,000, and we did not put a single fighting plane on the front. My organization went overseas armed with inferior rifles. Our artillery regiments were armed with French 75's and British guns, largely.

I may say from my personal experience in the Spanish-American War, when I went into action with my regiment at Santiago, we were pitted against high-powered smokeless rifles in the hands of the enemy. We Americans went into action with the same model rifle that was used by the veterans of the Civil War at the close of that war. The caliber of the bullets was about as large as the end of your little finger. We used black powder and every time we fired a shot a cloud of smoke showed exactly where we were.

Today even our Regular Army is not equipped with the most efficient arms. We have not enough modern rifles to arm our Regular service, to say nothing of the National Guard, the Reserves, and troops we must have in time of trouble.

Mr. Speaker, it seems to me that the time has come that the Congress take some action to see to it that our soldiers are properly equipped, if we are about to go into war, which very many people high in the service of the United States think we are headed for at the present time, I agree with the gentleman from Michigan it is about time the Congress take some action that will put an end to the things he has repeatedly called to the attention of the House. [Applause.]

Mr. HOFFMAN. There you have it. We ought to learn a few things from the experiences of the past. We ought to draw a few lessons from our experiences in the other war. The gentleman who has just spoken and who served so honorably in the wars he mentioned has told you what happened in those wars. I have no doubt that there are other men sitting here who can tell you the same story. If these fellows who are on the picket lines simply because they want to compel all workers to join their organizations, and who hold up the delivery of parts essential for the preparation of our national defense, are not traitors, I ask you, what are they? Are we to sit here and fail to authorize someone to go up there and take them by the neck and shake the shoes and the shirts off and the teeth out of their heads? [Applause.]

[Here the gavel fell.]

#### PERMISSION TO ADDRESS THE HOUSE

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that on Wednesday next, October 18, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

#### EXTENSION OF REMARKS

Mr. FRIES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial which appeared in the Washington Times-Herald on Sunday, October 8, dealing with our war hysteria and our economic and social problems.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD twice, including in one extension an editorial from the Chattanooga Times of October 10 and in the other an article from the Chattanooga News of October 7.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein three short editorials from the Gaelic American on the subject of neutrality.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Wisconsin [Mr. SCHAFER] is recognized for 10 minutes.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I requested this time in order to ask the distinguished New Deal leader, a member of the Committee on Foreign Affairs, the gentleman from Texas [Mr. JOHNSON], who addressed the House this afternoon, a few questions.

Our distinguished colleague [Mr. JOHNSON] admitted that the Congress was called into session to consider neutrality legislation. Notwithstanding this fact, the House has been adjourning from day to day and the New Deal administration has not seen fit to bring their latest neutrality legislation before the House for full consideration, debate, and amendment. The Members of the House have as much responsibility with reference to this legislation as have the Members of the Senate.

I believe that in order to expedite action on this highly important and controversial legislation, the House should stop

adjourning for 3 and 4 days at a time and end these 1- and 2-hour sessions when we do convene. The New Deal administration should make arrangements to bring their Bloom-Baruch credit-and-carry war-promotion bill, which has been clothed in the robes of neutrality, on the floor of the House for consideration, discussion, amendment, and a vote. I feel confident that the House will then be able to make a real neutrality bill out of it.

I particularly wanted to ask our distinguished colleague the gentleman from Texas [Mr. JOHNSON], who spoke today, what he thought about the recent unneutral warlike utterances, promises, and pledges of our New Deal Under Secretary of State Sumner Welles. The gentleman from Texas [Mr. JOHNSON] correctly stated that the Congress of the United States, the Senate and the House, the duly elected representative body of the American people, who will have to fight and suffer and die and pay if we are dragged into this new World War in Europe, was called into session to consider and enact neutrality legislation.

Notwithstanding this fact, we observe in the headlines of the papers that our multimillionaire New Deal Under Secretary of State, Mr. Sumner Welles, at an assembly in Panama of the representatives of 21 South, Central, and North American nations, most of which are ruled by dictators, announced alleged neutrality policies for the United States which are in conflict with international law and the existing law of the United States. Mr. Welles, without authority of law, proposed a program of a 300-mile neutral zone around the Americas, put the approval of our country on his proposal, and promised that our American Navy would patrol the zone. Mr. Welles also fails to realize that Uncle Sam's Treasury is almost bankrupt. In order to obtain support for his proposal Mr. Welles, without authority of law, promised that Uncle Sam, in addition to patrolling the Welles 300-mile zone, would play Santa Claus in a big way to these dictatorships, most of which now owe, and have refused to pay, a total of almost \$2,000,000,000 to American investors whose hard-earned dollars were used to purchase securities issued by these debt-defaulting countries and their political subdivisions. Mr. Welles said:

I am authorized to state that the United States Government wishes to cooperate with all other American republics in such efforts of each to develop the resources of its country along sound economic and noncompetitive lines. When desired it will assist in making credit available to them through the services and facilities of its privately owned banking system as well as its Government-owned agencies when the latter have funds available for such purposes.

I yield now for any New Deal leader to point out under what provisions of existing law the New Deal Under Secretary of State, Mr. Welles, has authority to go to Panama, to a conference of 21 nations, most of which are dictatorships, and promise that our American Navy will patrol a 300-mile Welles neutral zone around the entire continents of North and South America, the Canadian seacoast excepted. I yield now and pause. I hear no reply.

I now yield for any responsible New Deal leader to point out a provision of law under which our multimillionaire, sword-rattling Under Secretary of State, Mr. Welles, has authority to go to Panama and promise these 21 nations that Uncle Sam will open up the doors of the Federal Treasury and pour millions of dollars out to nations which are now in default to American investors to the extent of almost \$2,000,000,000. I yield now and pause for information. I hear no reply.

Mr. Speaker, our multimillionaire New Deal Under Secretary of State is truly a great liberal, as most ardent new dealers claim to be. Yes; a great liberal—liberal with other people's money.

Mr. Welles is not only liberal with public funds which our American taxpayers must sweat and toil to produce but he is also exceedingly liberal when he promises foreign debt-defaulting nations that savings of our American people, which are in our privately owned banking system, will be handed to them.

Mr. Speaker, while I am on the floor I want to state that I am going to oppose to my last breath the enactment of the Sol Bloom-Barney Baruch credit-and-carry war-promotion



bill which the New Deal has clothed in robes of neutrality. Why is the country told that this bill is a cash-and-carry measure when, in fact, the so-called cash-and-carry provision is a credit-and-carry one. The New Deal is certainly not playing fair with the American people in propagandizing their Sol Bloom-Barney Baruch credit-and-carry war-promotion bill as a cash-and-carry neutrality program.

Do the Members of Congress realize that the foreign governments which are now engaged in war owe our Government more than \$11,000,000,000, most of which was handed to them during the last World War Democratic administration? Yes; many billions, even after the armistice. As one Member of this Congress, I shall continue to oppose Uncle Sam's financing, aiding, or abetting wars of foreign nations and supplying them with the sinews of war under a cash and carry, credit and carry, or any other system.

Only a few years ago a number of our foreign debt-defaulting nations were calling Uncle Sam "Uncle Santa Claus" and "Uncle Shylock." Now that they have their hands out again asking for help, they would lead us to believe that they think that Uncle Sam is a grand old man.

According to the press releases, these debtor nations have more assets in the United States than their liabilities to our almost-bankrupt Federal Treasury. The New Deal handed most of these assets to them. Do you remember when the New Deal forced American citizens to turn in all their gold to the Federal Treasury on the basis of \$20.67 an ounce or go to the jailhouse for 5 years? Then, after our American citizens turned in their gold at \$20.67 an ounce, the New Deal imported from foreign countries over \$10,800,000,000 worth of gold at \$35 an ounce. Most of this gold was imported from countries which have refused to even pay one penny interest on the billions of dollars which they owe to Uncle Sam.

This New Deal hand-out of many billions of dollars represents a large part of the so-called cash which our foreign debt-defaulting nations intend to use if we furnish them munitions, arms, implements of war, and other war supplies under a cash-and-carry or a credit-and-carry fake neutrality act.

Our foreign debt-defaulting, welshing nations owe our almost bankrupt Federal taxpayers' Treasury billions of dollars. The debt defaulters who owe the most cannot find 1 penny to even pay the interest on these debts resulting from their last World War, although they have billions of dollars to carry on another conflict, which, no matter who wins, will destroy civilization.

Mr. Speaker, on March 1, 1939, according to our Treasury statistics, foreign nations which are now engaged in war owed the Government of the United States more than \$11,000,000,000.

Mr. Speaker, I have here a report from the Secretary of the Treasury which indicates that Great Britain, on March 1, 1939, owed the American taxpayers' Treasury \$5,419,388,374.72; this debt consisting of \$4,368,000,000 of principal and \$1,051,388,374.72 of interest.

On March 1, 1939, Soviet Russia owed the United States \$385,372,179.65, consisting of \$192,601,297.37 principal and \$192,770,882.28 accrued interest.

France owed the United States, on March 1, 1939, \$4,160,824,820.69, consisting of \$3,863,650,000 principal and \$297,174,820.69 accrued interest.

On March 1, 1939, Germany owed the United States \$1,251,417,749.70, which consisted of \$1,225,023,750 principal and \$26,393,999.70 interest.

On March 1, 1939, Italy owed the United States \$2,022,745,422.62, consisting of \$2,004,900,000 principal and \$17,845,422.62 interest.

Mr. Speaker, in view of our national debt, which is now more than \$40,000,000,000, in addition to many more billions of obligations which Uncle Sam has guaranteed, is it not time that Uncle Sam moves to collect the billions of dollars which foreign governments owe him instead of continuing to play Santa Claus to them, as he has under the New Deal, and as proposed in the pending war-promotion bill, which has been dressed up as a neutrality measure?

Mr. Speaker, since our foreign debtor nations have the cash to finance new wars, they should be called upon to use it to repay the billions which they owe our almost bankrupt Federal Treasury and which they carried from America during and after their last World War, when another Democrat-liberal administration was in power. You and I know what a Democrat-liberal is—liberal with other people's money, even though the second, third, fourth, and fifth generations have to sweat and toil to produce it. Uncle Sam should make a demand that our foreign debt-defaulting nations pay their honest debts to him. If they do not, we should follow the advice of Andrew Jackson, that great Democratic President, and foreclose on their holdings and the holdings of their nationals, and collect as the New Deal is collecting from distressed American citizens who, through no fault of their own, are unable to meet their tax, home-loan, farm-loan, and other payments due our Government.

Let us have a moratorium on the New Deal foreclosures on the homes and farms of our distressed American farmers and home owners, and let the New Deal devote its foreclosure-collection energies and activities to collecting the many billions of dollars which foreign nations owe our almost bankrupt Federal Treasury and refuse to even pay one penny interest on.

Mr. Speaker, with reference to another vital question discussed by the gentleman from Michigan [Mr. HOFFMAN] on yesterday and today, I would suggest that the gentleman from Michigan [Mr. HOFFMAN] ask the Dies committee to investigate Mr. Frankenstein and the activities of his organization, which the gentleman called to the attention of the House.

I hold in my hand this morning's Washington Post, where we find these headlines:

"Soviet spies in Army, Navy," says Krivitsky.

Then the article goes on to state:

A slight, graying man of 40, who claimed he was head of the Soviet military intelligence service in western Europe 2 years ago, testified before the Dies committee yesterday in an aura of mystery and the glare of spotlights. \* \* \*

The witness, who said he began life in the Ukraine as Samuel Ginsberg, but took the name Krivitsky in 1919, whispered his testimony to an interpreter. He appeared, however, to understand most of the committee's questions before they were translated. \* \* \*

One of his assignments, he said, was to go to Germany in 1923 "to organize the German revolution and prepare the manpower for the German 'red' army." Finally, in 1937, he broke with Stalin, after the purge of "all the elements which would have been the basis for the democratization of the country." \* \* \*

Speaking under the eyes of movie cameramen and news photographers, a score of Congressmen and newspapermen, and nearly 100 other spectators, Krivitsky warned that "it must be assumed" that the U. S. S. R. has spies in the American Army and Navy."

He said he had no first-hand knowledge of the situation, "but I have no doubt the machinery is as good as it was in Europe."

Mr. Speaker, an alien Communist big shot, Samuel Ginsberg, alias Walter G. Krivitsky, said he had no knowledge, but still we find headlines on the first page of today's Washington Post reading:

Soviet Spies in Army, Navy, says Krivitsky.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHAFER of Wisconsin. Now, as one Member of Congress, I want to know how and why Samuel Ginsberg, alias Walter G. Krivitsky, who, on his own admission before the committee yesterday, testified that he was a "big shot" and leader in the OGPU secret police of Moscow up to 2 years ago and for a period of 17 years, is in America today. Talk about deporting the alien Communist British subject, Harry Bridges, who has been trying to destroy our American merchant marine because he is a Communist.

We now find here an alien Communist who, by his own admission, was a leader of the OGPU, Communist secret police of Moscow, for 17 years, posing as one who has the best interests of America at heart while admitting that for 17 years he was a "big shot" member of the OGPU

band of murderers, the purge organization of the bloody "red" Communist butchers from Moscow, while they were doing everything they could to destroy our American constitutional democracy.

I respectfully suggest that our colleague the gentleman from Michigan [Mr. HOFFMAN] should request the Dies committee to investigate Mr. Frankenstein and his C. I. O. and find out why the materials which are essential to our national defense cannot be produced as the Congress intended they should be produced.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SCHAFER of Wisconsin. Yes; I yield.

Mr. HOFFMAN. There is no need of an investigation of Frankenstein. Frankenstein was appointed by Governor Murphy as the man in Michigan to distribute relief up there among the Communists. That is his record.

Mr. SCHAFER of Wisconsin. I will say in answer to that that the gentleman indicated a terrible condition exists with reference to our national defense.

Mr. HOFFMAN. Sure; Frankenstein—

Mr. SCHAFER of Wisconsin. Just a minute. In view of the existing conflict in Europe, the Government of the United States should not permit Frankenstein and his gang to interfere with our national defense, as the gentleman indicated they have been doing. I stand foursquare for an adequate national defense, although I am opposed to going into foreign lands and fighting other nations' wars. I pray that we are not dragged into another European war, and I shall vote against it; but if my country, through its legal representatives under the Constitution, should declare war, I intend to resign my seat in the Halls of Congress and again follow Old Glory—the red, white, and blue—and the principles of government for which she stands. [Applause.]

Mr. Speaker, I protest against allowing Mr. Frankenstein and his C. I. O. to stick a dagger into the back of my country's national-defense program.

Mr. HOFFMAN. And that is what he is doing.

Mr. SCHAFER of Wisconsin. I think it is far more important for the Dies committee to investigate Mr. Frankenstein and his Communist associates than to glorify an alien leader of the secret OGPU Communist Moscow tribe of bloody red butchers, who admitted that he was a main cog in the machine for 17 years while it was trying to destroy our democracy.

Mr. Speaker, alien Communists are prohibited from coming to America and are subject to deportation under our immigration laws. I ask the New Deal to explain how, when, and why this Communist leader was permitted entry.

Mr. THORKEKELSON. And does the gentleman know that in the C. I. O. headquarters there is a man to be found named Polokoff, who was also connected with the Russian secret police?

Mr. SCHAFER of Wisconsin. Certainly. I can let you know of many who the New Deal has allowed to run wild in America.

Mr. HOFFMAN. There is no reason why Mr. Murphy as Attorney General should prosecute Frankenstein for subversive activities.

Mr. SCHAFER of Wisconsin. I believe in giving every man an opportunity. Let us not criticize Mr. Murphy until he has been requested to act and he fails to do so.

Mr. HOFFMAN. He would have it if he is put on trial.

Mr. SCHAFER of Wisconsin. I respectfully differ with my colleague. I suggest that he submit his facts to the Dies committee and ask for a complete public investigation and at the same time submit those facts to Mr. Attorney General Murphy and give him an opportunity to act.

Mr. HOFFMAN. Would not the gentleman rather have him brought before a jury than have an investigation?

Mr. SCHAFER of Wisconsin. An investigation perhaps would develop evidence which would be of great benefit to a grand jury and a trial jury.

Mr. HOFFMAN. But you have the evidence from the Navy Department itself, and what more does the gentleman want? Why not give him the works now?

Mr. SCHAFER of Wisconsin. I believe that it is more important to bring Frankenstein and Lewis and their Com-

munist associates before the Dies committee for investigation in view of what the gentleman has said.

I believe that would be better than bringing an alien Communist who admits that he was for 17 years a "big shot" in the Communist secret police in Moscow, and who, according to his own testimony, during those 17 years was active in the movement to replace the governments in Germany, America, and other lands with a communistic soviet system of autocracy. Mr. Speaker, I say let us get alien Communist Samuel Ginsberg, alias Krivitsky, out of the country without delay. He has no legal right to be here. He should be shipped back to Moscow on the first boat, and his alien Communist pal Bridges should be shipped back to England on the next. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired. Under special order heretofore entered, the gentleman from Montana [Mr. THORKEKELSON] is recognized for 10 minutes.

Mr. THORKEKELSON. Mr. Speaker, first I compliment the gentleman from Ohio [Mr. SMITH] on the very able discourse delivered before the House today. He dealt with facts in regard to neutrality. He stated facts in contradistinction to other statements made before this House. We must remember that Holland, Denmark, Sweden, Norway, Finland, Switzerland, Lichtenstein, all have been neutral for a long, long time while there have been wars going on in Europe, for they have not engaged in the transportation of war materials or contraband with nations at war. The only part of the present Neutrality Act which is now up for consideration that we can enforce is the embargo clause. If we attempt to enforce the power given to the President in the act in declaring war zones, neutral zones, and many other regulations in respect to foreign shipping, it will involve us in war. So, then, what should be repealed in the Neutrality Act is the power given to the President, and what should remain in the act is the embargo clause. We will then have a neutrality act; but as it is in its present form, it is practically equal to a general declaration of war. Please do not get confused about that.

Now, with respect to travel on the ocean, there is nothing in the law of nations that prevents one nation from selling any commodity to any other nation. As a matter of fact, as the gentleman who preceded me said, you are not bound to that particular part of international law.

Mr. HOUSTON. Mr. Speaker, will the gentleman yield?

Mr. THORKEKELSON. I yield.

Mr. HOUSTON. Is there any provision in law whereby the administration, without an act of Congress, or any individual in the administration, has a right to obligate our Government to sell materials or any equipment that we may have, as a government, to a foreign nation?

Mr. THORKEKELSON. There is absolutely none.

Mr. HOUSTON. They could do that?

Mr. THORKEKELSON. The Government cannot sell war equipment to nations at war without becoming a partner with such foreign nation in its war.

Mr. HOUSTON. I have heard rumors, as everyone has during these high-tension moments, that the French Government is dickering today, trying to get the planes for which we have let contracts during this year as soon as they are completed. Have they a right to do that?

Mr. THORKEKELSON. No; we have no right to do that.

Mr. HOUSTON. Has the Government or the administration a right to do that, or any individual or department of the Government?

Mr. THORKEKELSON. By an act of Congress we can sell it; yes; certainly. But if we sell material of that sort—war material—it is an unneutral act, and we are subjecting ourselves to war. That is all.

Mr. HOUSTON. I understand these rumors are going around even before this act is repealed.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. THORKEKELSON. I yield.

Mr. CRAWFORD. I think the gentleman from Kansas [Mr. HOUSTON] has raised a very important question at this particular moment. Suppose manufacturer A holds a con-



tract with the United States Government to manufacture 50 war planes of a certain description, and before those planes are delivered the embargo law is repealed and it becomes in order for our nationals to sell goods of that type to belligerent countries, as I understand the gentleman from Kansas [Mr. Houston], his question was this, Cannot Manufacturer A, under those conditions, be permitted, by consent of the United States Government, to accept deferred delivery of planes, let those planes, manufactured on Government order, be delivered to the French Government, if the French Government wants immediate delivery, as against the United States Government taking deferred delivery?

Mr. HOUSTON. That is exactly the situation.

Mr. CRAWFORD. If I understand the situation, that very thing could be done at this moment if the embargo law were repealed.

Mr. HOUSTON. That is correct, but what I am getting at is the dickering is going on before the repeal of the Embargo Act.

Mr. CRAWFORD. As an experienced manufacturer, I would say that is the way we play the game, often getting one customer to allow for deferred shipment and giving another quicker delivery.

Mr. HOUSTON. That was brought out by the gentleman from Michigan [Mr. Hoffman] that we should be prepared, because there is a rumor going around that we will be in this war. If we are going to turn over those planes, which really take about 10 months to deliver, it will be 2 years before we have any planes of our own, and we will be unprepared.

Mr. THORKEKELSON. Of course, we should not sell airplanes. We might need them here. It is a poor policy to sell equipment that we may need in an emergency.

The question has been raised, What might happen after repeal of the arms embargo? After such repeal, a private industry may sell to anyone that can buy its merchandise, but it is the duty of the Federal Government not to issue clearance on contraband cargo to nations at war. If the Federal Government has deferred its order, and by such extension allowed a private industry to sell material to a nation at war, the Government itself becomes involved in such transaction and commits an unneutral act that may lead us into war.

Mr. CRAWFORD. Will the gentleman yield further right there?

Mr. THORKEKELSON. Yes; I yield.

Mr. CRAWFORD. Manufacturer A has not yet delivered the planes to the Government, although the Government placed an order for those planes, and those planes have been built according to Government specifications, but title to the planes has not yet passed to the Government of the United States. The Government of the United States simply defers taking delivery, and new production is put into operation, and the first production goes to the French Government, sold by the manufacturer, and the American Government does not enter into the sale or transfer of title. In that case do I understand the gentleman to say it would be an unneutral act, and that the Government of the United States would become involved?

Mr. THORKEKELSON. Yes. The fact that the United States Government releases its order for the convenience of a foreign power at war is an unneutral act in itself, because it shows collusion.

Mr. HOUSTON. But where would it leave us, with the planes turned over to the French?

Mr. CRAWFORD. It leaves us without the equipment.

Mr. HOUSTON. Right where we were, exactly.

Mr. THORKEKELSON. Of course, they can sell them. There is nothing to stop them selling them. But the release of delivery is prima facie evidence of collusion and aid to one power at war.

Mr. HOUSTON. But look where it leaves us.

Mr. MICHENER. Well, if the gentleman will yield—

Mr. THORKEKELSON. I yield.

Mr. MICHENER. I do not agree at all with the gentleman from Michigan [Mr. Crawford], who says that would not be

an unneutral act. Morally, and from every other standpoint, it would be an unneutral act.

Technically, as a matter of law, our Government probably could escape the charge of being unneutral, but for all purposes of neutrality, for all purposes of morality, there would not be any question about it. Our country would be unneutral.

Mr. CRAWFORD. Will the gentleman yield? I do not want to be misunderstood.

Mr. THORKEKELSON. I yield.

Mr. CRAWFORD. I call the attention of the gentleman from Michigan [Mr. Michener] to the fact I said "in the absence of an embargo." I was assuming that the embargo is repealed.

Mr. MICHENER. I think that the Federal Government cannot sell war material to any nation, as a Federal Government, in peacetime. That is not one of the functions of the Government. If the Government does a thing like that it must do it by subterfuge. It must do it by immoral means.

Mr. CRAWFORD. I agree with that.

Mr. THORKEKELSON. I will reply to that in the following manner—

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield on that?

Mr. THORKEKELSON. Let me reply to the gentleman's statement. The Federal Government has no right to engage in private business in the first place. The Federal Government is not in complete control of private business in this country yet, but I think it may be after a while if Congress lets it go on. Under the Constitution, private business has reserved the right to itself to conduct its own affairs without Federal interference, and may for that reason sell commodities it manufactures. If Congress adopts an embargo act which prohibits the sale of contraband articles, private industry is then prohibited from selling such articles to powers at war. The Federal Government has no constitutional right to engage in competition with private business or industry in sale of any material except obsolete equipment, and certainly it has no right whatsoever to aid or abet in the sale of war material to any nation at war.

It is within our right to impose an embargo clause any time we please, and it should meet with no objection from foreign nations.

Self-preservation is the first law of nature, and we are strictly within our rights to refuse to sell commodities that we may need for our own protection, against the very power to which we sell it.

[Here the gavel fell.]

#### PERMISSION TO ADDRESS THE HOUSE

Mr. COURTNEY. Mr. Speaker, I ask unanimous consent that on Monday next after the reading of the Journal and any other special orders that may have been entered I may address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

#### ADJOURNMENT

Mr. THOMASON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 33 minutes p. m.) the House adjourned until tomorrow, Friday, October 13, 1939, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. JARMAN: Committee on Printing. Senate Concurrent Resolution 30. Concurrent resolution authorizing the printing of additional copies of the hearings held before the Committee on Foreign Relations of the Senate during the Seventy-fourth Congress, second session, on the bill (S. 3474) relating to neutrality (Rept. No. 1472). Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HOFFMAN:

H. R. 7582. A bill to define, to prevent, and to punish interference with interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. SHANLEY:

H. J. Res. 390. Joint resolution requesting the President to appoint a committee to prepare suitable ceremonies and celebration for the four hundred and fiftieth anniversary on October 12, 1942, of the discovery of America by Christopher Columbus; to the Committee on Foreign Affairs.

By Mr. HOFFMAN:

H. Res. 313. Resolution requesting certain information from the Secretary of War; to the Committee on Military Affairs.

H. Res. 314. Resolution requesting certain information from the Secretary of the Navy; to the Committee on Naval Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Ohio:

H. R. 7583. A bill granting a pension to Esta M. McArthur; to the Committee on Pensions.

By Mr. LUCE:

H. R. 7584. A bill for the relief of Horace Lothrop Ham; to the Committee on Naval Affairs.

By Mr. ROBSION of Kentucky:

H. R. 7585. A bill granting a pension to Mollie Messer; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5734. By Mr. ASHBROOK: Petition of T. R. Aten and nine others, of North Olmsted, Ohio, opposing the repeal of the existing neutrality law; to the Committee on Foreign Affairs.

5735. By Mr. GILLIE: Petition of Elsie R. Smith and 70 other residents of Fort Wayne, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5736. Also, petition of Mr. and Mrs. Glen Wilson and sundry citizens of Angola, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5737. Also, petition of Bernadette Kaade and 100 other citizens of Fort Wayne, Ind., urging retention of the embargo on arms and munitions; to the Committee on Foreign Affairs.

5738. By Mr. SHAFER of Michigan: Petition of Donald M. Bivens and 600 citizens of Battle Creek, Mich., opposing any effort to repeal the arms embargo or amend the present neutrality law; to the Committee on Foreign Affairs.

5739. Also, resolution of Kalamazoo Chamber of Commerce, Kalamazoo, Mich., urging the Congress of the United States to beware of all entanglements and hysteria that might lead the country into war; to the Committee on Foreign Affairs.

5740. Also, petition of 30 members of the Men's Adult Bible Class, Bethany Reformed Church, Kalamazoo, Mich., opposing any change in the neutrality law, particularly opposing the cash-and-carry plan; to the Committee on Foreign Affairs.

5741. Also, petition of Jerry VanderVeen and 40 citizens of Kalamazoo, Mich., opposing repeal of the arms embargo in the neutrality law; to the Committee on Foreign Affairs.

5742. Also, petition of L. G. Wichert, of Hillsdale, Mich., and 11 other citizens of Hillsdale, Mich., opposing the repeal of the arms embargo and the cash-and-carry provisions of the neutrality bill; to the Committee on Foreign Affairs.

5743. Also, petition of G. S. Feller and 23 citizens of Coldwater, Mich., requesting that the present Neutrality Act be kept in force; to the Committee on Foreign Affairs.

5744. Also, petition of John Bernard and 99 other citizens of Grand Ledge, Mich., opposing any change in the present neutrality law; to the Committee on Foreign Affairs.

5745. Also, petition of Mrs. Hary Kimball and 39 citizens of Kalamazoo, Mich., protesting against any change in the

present neutrality law and the participation of America in the European conflict; to the Committee on Foreign Affairs.

5746. Also, petition of R. J. Beaton and 17 citizens of Kalamazoo, Mich., to keep the United States out of war and in opposition to any change in the neutrality law; to the Committee on Foreign Affairs.

5747. Also, petition of William Hodges and 12 citizens of Marshall, Mich., opposing any change in the neutrality law of the United States; to the Committee on Foreign Affairs.

## SENATE

FRIDAY, OCTOBER 13, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Father of infinite power and love, with hearts responsive and enlightened minds we thank Thee for Thy might so mighty and Thy love so true. Give us the calm, high courage needful in these days of grievous stress, courage that shall be born of thankfulness for all Thy blessings vouchsafed to our beloved America. Help us to realize that our happiness is not merely the gift of Thy bestowal, but that it must be achieved, lived for, worked for, if we would bring it into the highest, holiest fellowships of life, into home and family, where children's laughter makes the house a garden, fragrant with the atmosphere of joy and hope and love.

And, as Thou hast not dealt more tenderly with any nation, make us humble, that we may better serve Thee with quickened hearts that find Thee everywhere; and help us to bring the nations back into the fold of Thy most loving care. We ask it for the sake of our Lord and Saviour, Jesus Christ. Amen.

## THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Thursday, October 12, 1939, was dispensed with, and the Journal was approved.

## CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Schwartz
Andrews	Donahay	La Follette	Schwellenbach
Austin	Downey	Lodge	Sheppard
Bailey	Ellender	Lucas	Shipstead
Bankhead	Frazier	Lundeen	Slattery
Barkley	George	McCarran	Smathers
Bilbo	Gerry	McKellar	Stewart
Borah	Gibson	McNary	Taft
Bridges	Gillette	Maloney	Thomas, Okla.
Brown	Green	Mead	Thomas, Utah
Bulow	Guffey	Minton	Townsend
Burke	Gurney	Murray	Truman
Byrd	Hale	Norris	Tydings
Byrnes	Harrison	Nye	Vandenberg
Capper	Hatch	O'Mahoney	Van Nuys
Caraway	Hayden	Overton	Wagner
Chandler	Herring	Pepper	Wheeler
Chavez	Hill	Pittman	White
Clark, Idaho	Holman	Radcliffe	Wiley
Clark, Mo.	Holt	Reed	
Connally	Johnson, Calif.	Reynolds	
Danaher	Johnson, Colo.	Russell	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Delaware [Mr. HUGHES], the Senator from Oklahoma [Mr. LEE], the Senator from Arkansas [Mr. MILLER], the Senator from West Virginia [Mr. NEELY], the Senator from South Carolina [Mr. SMITH], and the Senator from Massachusetts [Mr. WALSH] are unavoidably detained.

Mr. AUSTIN. I announce that the Senator from New Jersey [Mr. BARBOUR] is necessarily absent.